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JOURNAL

OF THE

HOUSE OF REPRESENTATIVES

OF THE

TERRITORY OF WASHINGTON,

OF THE

SESSION OF THE LEGISLATIVE ASSEMBLY

BEGUN AND HELD

AT OLYMPIA, THE SEAT OF GOVERNMENT, UPON THE FIRST MONDAY OF DECEMBER, 1866.

Fourteenth Regular Session.

OLYMPIA:
T. F. McELROY, PRINTER.
1866.

JOURNAL

OF THE

HOUSE OF REPRESENTATIVES.

HOUSE OF REPRESENTATIVES,
Monday, December 3, 1866.

This being the day prescribed by law for the meeting of the Legislative Assembly of the Territory of Washington, the members elect to the House of Representatives convened in the Territorial Capitol, and were called to order by L. D. Durgin, Chief Clerk of the House of the last session.

Present—Messrs. Brazee, Hancock, Henry, Heckert, Knapp, Kelley, Longmire, Miles, O'Bryant, Pollock, Rees, Ruth and Simmons.

On motion, the House proceeded to a temporary organization, (there being no quorum of the members in their seats.)

On motion, Hon. Henry Miles, of Lewis, was appointed Speaker *pro tem.*

On motion, Mr. R. F. Browning was appointed Chief Clerk *pro tem.*

On motion, Mr. Charles Eagan was appointed Assistant Clerk *pro tem.*

On motion, Mr. P. Turpin was appointed Sergeant-at-arms *pro tem.*

On motion, Mr. Wm. Yeager was appointed Door-keeper *pro tem.*

On motion of Mr. Knapp,

A committee of five was appointed on Credentials.

The chair named Messrs. Henry, Brazee, Eldridge, O'Bryant and Robinson.

On motion, House adjourned until to-morrow morning at 10 o'clock.

R. F. BROWNING,
Chief Clerk pro tem.

HOUSE OF REPRESENTATIVES,
Tuesday, December 4, 1866.

House met pursuant to adjournment.

Journal of yesterday read and approved.

Mr. Speaker in the chair.

Present—Messrs. Brazee, Hancock, Henry, Heckert, Knapp, Kelley, Longmire, O'Bryant, Pollock, Rees, Ruth, Robinson and Simmons.

The committee on Credentials asked further time to report.

On motion the committee on Credentials was allowed until to-morrow morning to report.

On motion, House adjourned until to-morrow morning at 10 o'clock.

R. F. BROWNING,
Chief Clerk pro tem.

HOUSE OF REPRESENTATIVES,
Wednesday, December 5, 1866.

House met pursuant to adjournment.

Mr. Miles, of Lewis, in the chair.

Present—Messrs. Brazee, Clymer, Clark, Eldridge, Hancock, Henry, Harmon, Heckert, Huntington, Knapp, Kelley, Longmire, Morgan, McGilvra, O'Bryant, Pollock, Rees, Ruth, Robinson, Simmons, Smith, Van Bokkelen and Young.

Mr. Van Bokkelen moved a call of the roll.

The chair ruled the motion out of order.

Mr. Eldridge moved that all former proceedings of this body be declared illegal, and that the House now proceed to a temporary organization.

Chairman ruled the motion out of order.

Mr. Van Bokkelen appealed from the ruling of the chair.

The question was—"Shall the chair be sustained?"

Upon this question the ayes and noes were demanded.

The chair ruled the call for the ayes and noes out of order.

Mr. Eldridge appealed from the ruling of the chair.

The question was—"Shall the chair be sustained?"

The chair was sustained.

The question recurring on the appeal as taken upon the original motion, the question was—"Shall the chair be sustained?"

Mr. Van Bokkelen asked leave to have the following protest entered upon the journal:

"We the undersigned members of this Legislative body do protest against the illegal temporary organization of this House on Monday, December 3d, 1866, and their proceedings on that day in electing a temporary Speaker, Chief Clerk and Assistant, and other officers, and appointing a committee on Credentials; also against their action on the succeeding days, Dec. 4th and 5th, for the following reasons:

"First: That there was no quorum to do business, there being but fourteen members present; a quorum not being pres-

ent they had no right to elect temporary officers or empower any committee with power to act.

"And we would give notice that we will apply to the U. S. Supreme Court of this Territory for an order setting aside all acts and deeds performed by this House while a quorum was not present.

House of Representatives of Washington Territory, Fourteenth Session, December 5th, 1866.

J. J. H. VAN BOKKELEN,
H. E. MORGAN,
B. HUNTINGTON,
A. B. YOUNG,
HILL HARMON,
EDWARD ELDRIDGE,
CHRISTIAN CLYMER,
JOHN J. McGILVRA,
FRED. A. CLARKE,
H. A. SMITH.

On motion of Mr. Henry,

Protest was accepted.

On motion, House adjourned until to-morrow morning at 10 o'clock.

R. F. BROWNING,
Chief Clerk pro tem.

HOUSE OF REPRESENTATIVES,
Thursday, December, 6, 1866.

House met pursuant to adjournment.

Present—Messrs. Brazee, Clymer, Clark, Eldridge, Hancock, Henry, Harmon, Heckert, Huntington, Knapp, Kelly, Longmire, Miles, Morgan, McGilvra, O'Bryant, Pollock, Rees,

Ruth, Robinson, Simmons, Smith, Temple, Van Bokkelen, and Young.

Journals of Tuesday and Wednesday read, and, after slight corrections, approved.

The committee on Credentials submitted the following report, which, on motion, was adopted:

To the Hon. Speaker of the House of Representatives of Washington Territory:

Your committee on Credentials would respectfully report, that from examination of the roll in the Secretary's office, and the certificates which have been furnished them, that the following persons are entitled to seats in the House:

Walla-walla County—R. Jacobs, R. R. Rees, D. M. Jesse, H. D. O'Bryant, Thomas P. Page.

Clarke County—John Pollock, John W. Brazee, H. M. Knapp.

Clicitat and Yakima Counties—A. H. Simmons.

Wahkiakum and Cowlitz Counties—Benjamin Huntington.

Pacific County—Charles Barstow.

Chehalis County—Giles Ford.

Mason County—Lee Hancock.

Lewis County—Henry Miles.

Thurston County—Francis Henry, James Longmire, B. F. Ruth.

King County—John J. McGilvra, Christian Clymer.

Snohomish County—H. A. Smith.

Jefferson County—H. E. Morgan, R. S. Robinson.

Clalm County—Henry Heckert.

Whatcom County—Edward Eldridge.

Pierce County—Fred A. Clarke, N. T. Kelley.

Kitsap County—A. B. Young, H. C. Rowe.

Island County—Hill Harmon.

In the case of Stevens county, no evidence of the election of any person to represent it appears in the Secretary's office, nor have your committee been presented with any certificate of such a fact. But your committee are satisfied from oral repre-

sentations that J. J. H. Van Bokkelen was duly elected in that county, and respectfully recommend that he be admitted to his seat in the House.

In the case of Kitsap county, your committee are informed that a special election has been held to fill a vacancy caused by the resignation of H. C. Rowe, and that W. K. Temple was duly elected to fill such vacancy, your committee therefore recommend that said Temple be admitted to a seat in the House.

FRANCIS HENRY,
J. W. BRAZEE,
R. S. ROBINSON,
H. D. O'BRYANT,
EDWARD ELDRIDGE.

Mr. Eldridge moved that Hon. B. F. Dennison be invited within the bar of the House to administer the oath of office to members present.

Motion carried.

The Hon. Mr. Dennison appearing within the bar, the oath of office was administered to the following named gentlemen, viz: Messrs. Brazee, Clymer, Clark, Eldridge, Hancock, Henry, Harmon, Heckert, Huntington, Knapp, Kelly, Longmire, Miles, Morgan, McGilvra, O'Bryant, Pollock, Rees, Ruth, Robinson, Simmons, Smith, Temple, Van Bokkelen, Young.

Mr. Van Bokkelen moved that the House do now proceed to a permanent organization.

Motion carried.

Mr. Henry moved that the House proceed to the election of Speaker *viva voce.*

Mr. Smith moved to amend by inserting the word "ballot," in place of the words, "*viva voce.*"

Question on amendment carried.

The question recurring on the original motion as amended, carried.

The House proceeded to the election of Speaker by ballot.

On motion,

The Chair appointed Messrs. Van Bokkelen and Longmire tellers.

Mr. Van Bokkelen put in nomination Mr. Eldridge.

Mr. Rees put in nomination Mr. Miles.

On the first ballot, 25 votes were cast.

Necessary to a choice,	13	votes.
Mr. Eldridge received	11	"
Mr. Miles received	13	"
Mr. Clark received	1	"

Mr. Miles having received a majority of all the votes cast, was declared duly elected Speaker.

On motion,

The Hon. B. F. Dennison was invited within the bar, and administered the oath of office to the Hon. Speaker elect.

Mr. Longmire moved that the House proceed to the election of Chief Clerk *viva voce.*

Motion lost.

Mr. Clymer moved that the House proceed to the election of Chief Clerk by ballot.

Motion carried.

On the first ballot, there were 25 votes cast.

Necessary to a choice	13	votes.
Mr. Abbott received	7	"
Mr. Eagan received	16	"
Mr. Alexander	1	"
Blank received	1	"

Mr. Eagan having received a majority of all the votes cast, was declared duly elected Chief Clerk.

House proceeded to the election of Assistant Clerk.

On the first ballot, there were 25 votes cast.

Necessary to a choice,	13	votes.
Mr. Eltze received	12	"
Mr. Browning received	13	"

Mr. Browning having received a majority of all votes cast, was declared duly elected Assistant Clerk.

House proceeded to the election of Sergeant-at-arms.

On the first ballot, there were 25 votes cast.

Necessary to a choice,..... ..... 13 votes.
Mr. Temple received..... 12 "
Mr. Turpin received..... 13 "

Mr. Turpin having received a majority of all votes cast, was declared duly elected Sergeant-at-arms.

The House proceeded to the election of Door-keeper.

On the first ballot there were 25 votes cast:
Necessary to a choice,..... 13 votes.
Mr. Yeager received..... 13 "
Mr. Alexander received..... 12 "

Mr. Yeager having received a majority of all votes cast, was declared duly elected Door-keeper.

Mr. Brazee moved that the Rev. P. E. Hyland be declared, by acclamation, Chaplain of the House.

Motion carried.

On motion,

The Hon. Frank Clark was invited within the bar, and administered the oath of office to Charles Eagan, Chief Clerk, R. F. Browning, Assistant Clerk, Peterfield Turpin, Sergeant-at-arms, and Wm. Yeager, Door-keeper.

Mr. Clymer presented the following resolution, which, on motion, was adopted:

Resolved, That the Sergeant-at-arms be directed to request the Secretary to furnish members and officers of this House with such number of newspapers as they are entitled to by law.

Mr. Simmons presented the following motion, which was adopted:

That the Chief Clerk be instructed to inform the Council that the House is now organized by the election of

Hon. HENRY MILES, *Speaker*;
CHARLES EAGAN, *Chief Clerk*;
R. F. BROWNING, *Assistant Clerk*;
PETERFIELD TURPIN, *Sergeant-at-arms*;
WILLIAM YEAGER, *Door-keeper*;

And are now ready to proceed to business.

Mr. Eldridge moved that 10 o'clock A. M., be fixed as the hour for convening.

Motion carried.

Mr. Rees introduced the following resolution:

Resolved, That the Rules and Orders of the last session of the House of Representatives of this Territory be adopted temporarily for the government of this body.

On motion, the resolution was adopted.

Mr. Knapp, of Clark, introduced

H. J. R. No. 1—Relative to communication from the Governor.

Resolution read first time.

On motion of Mr. Longmire,

Rules suspended and resolution read a second time.

On motion of Mr. Ruth,

Rules further suspended, and the resolution was read a third time.

The question being on the final passage of the resolution, H. J. R. No. 1, was passed.

Mr. Van Bokkelen, of Stevens, introduced

H. J. R. No. 2—Relative to the appointment of Enrolling Clerk.

On motion of Mr. Robinson,

Resolution read first time.

On motion of Mr. Morgan,

The rules were suspended, and the resolution was read a second time.

On motion of Mr. Van Bokkelen,

Rules further suspended, and resolution read a third time and passed.

Mr. Van Bokkelen moved that the Sergeant-at-arms be directed to procure from the Secretary a copy of the laws, and proceedings of the House of last session for the use of the members of the House.

Motion carried.

Mr. Van Bokkelen moved that the Clerk be instructed to furnish a copy of the journal to the printer daily.

Motion carried.

On motion of Mr. Smith,

House adjourned until to-morrow morning at 10 o'clock.

CHAS. EAGAN,
Chief Clerk.

HOUSE OF REPRESENTATIVES,
Friday, December, 7, 1866.

House met pursuant to adjournment.

Mr. Speaker in the chair.

Roll called. Present—Messrs. Brazee, Clymer, Eldridge, Hancock, Harmon, Huntington, Kelley, Longmire, McGilvra, O'Bryant, Pollock, Rees, Ruth, Simmons, Smith, Temple, Van Bokkelen.

Abset—Messrs. Barstow, Clarke, Ford, Henry, Heckert, Jesse, Jacobs, Knapp, Morgan, Page, Robinson and Young.

Prayer by the Chaplain.

The Speaker announced the following Standing committee on Rules and Orders:

Messrs. Van Bokkelen, Henry, Simmons, Morgan, and McGilvra.

Mr. Eldridge moved that the committee on Rules and Orders be instructed to incorporate a rule in the Rules and Orders of the House relative to a call of the House.

Motion carried.

On motion of Mr. Smith,

The House adjourned until Monday next at 11 o'clock.

CHAS. EAGAN,
Chief Clerk.

HOUSE OF REPRESENTATIVES,
Monday, December 10, 1866.

House met pursuant to adjournment.

Mr. Speaker in the chair.

Present—Messrs. Brazee, Clymer, Eldridge, Hancock, Harmon, Heckert, Huntington, Kelley, McGilvra, O'Bryant, Pollock, Rees, Ruth, Robinson, Simmons, Smith, and Young.

Absent—Messrs. Barstow, Clark, Ford, Henry, Jesse, Jacobs, Knapp, Longmire, Morgan, Page and Van Bokkelen.

Prayer by the Chaplain.

Journal of yesterday read and approved.

The following message was received from the Council by their Clerk:

COUNCIL CHAMBER,
December 10, 1866.

MR. SPEAKER—

I am instructed by the Council to inform the House, that the Council have organized permanently, by the election of the following officers:

HON. B. F. DENNISON, *President;*
N. S. PORTER, *Chief Clerk;*
RICHARD LANE, *Assistant Clerk;*
WM. WRIGHT, *Sergeant-at-arms;*
M. WOOD, *Door-keeper;*
REV. P. E. HYLAND, *Chaplain;*

And that they are now ready to proceed to business.

N. S. PORTER,
Chief Clerk.

Mr. Knapp moved that the Sergeant-at-arms provide seats within the bar of the House, for reporters of the newspaper press.

Motion carried.

Mr. Van Bokkelen, chairman of committee on Rules and Orders, made the following report:

MR. SPEAKER—

The committee who was appointed to report suitable Rules and Orders for the government of this House during the present session, beg leave to report that they have had the same under consideration, and would recommend the adoption of the Rules and Orders of the Twelfth Session, 1864–5, of the House, with the following amendments:

First, amend Rule 22 to read as follows:

"When a motion is made and seconded, it shall be received and considered by the House and not otherwise, and shall be disposed of by the vote of the House. Any motion in order may be withdrawn by the mover at any time before a decision or amendment, and no member shall be permitted to lay a motion in writing on the table, until he shall have read the same in his place, and the same shall have been seconded, and no new bill or resolve of a public nature shall be received, except to be reported by the committee unless the House otherwise orders; and all bills and resolves not reported by committee, shall be referred to the appropriate committee, or shall be laid on the table for one day before further action thereon."

Second: Strike out Rule 37 and insert in lieu thereof "a call of the House shall be had upon the vote of one third of the members present, and a further call dispensed with by a majority of the members present."

Third: Amend Rule 47, by striking out in first line the word "twenty-one," and inserting the word "eighteen;" striking out the words "a committee on Claims," "a committee on Memorials," "a committee on Library;" amend the fourth line of said section so as to read, "committtee on Ways, Means and Claims." Amend the 21st line of said Rule so as to read, "committee on Territorial Library, Public Grounds;" and add to said section the following: "Committees shall have full power over all bills or other papers submitted to them, except to change the title or subject thereof."

All of which is respectfully submitted.

J. J. H. VAN BOKKELEN,
Chairman.

Mr. Clymer moved the report be laid upon the table and ordered printed.

Mr. Eldridge moved that the House now proceed to act upon the report. The motion of Mr. Clymer being withdrawn, the motion of Mr. Eldridge was carried.

The following message was received from the Council by their clerk:

COUNCIL CHAMBER,
December 10, 1866.

MR. SPEAKER—

I am instructed by the Council to inform the House of the concurrence by the Council of the following:

H. J. R. No. 1—Relative to a committee to wait upon the Governor; and the President has appointed Messrs. Ferguson, Mitchell and Hines said committee.

Also the passage of

H. J. R. No. 2—Relative to appointing an Enrolling clerk.

N. S. PORTER,
Chief Clerk.

Pending the reading of the Rules and Orders,

Mr. Eldridge moved that a committee be appointed to act in conjunction with the committee appointed by the Council to wait upon the Governor.

Motion carried.

The chair appointed Messrs. Eldridge, O'Bryant and Clymer.

Mr. Eldridge moved that the House take a recess of half an hour.

Motion carried.

Mr. Eldridge moved to amend section 22d of Rules and Orders, by striking out the words "until he shall have read the same in his place, and the same shall have been seconded," and insert, "until it shall have been read to the House and seconded."

Amendment carried.

The following message was received from the Council by their clerk:

COUNCIL CHAMBER,
December 10, 1866.

MR. SPEAKER—

I am instructed by the Council to inform the House of the introduction and passage by the Council of the following:

C. J. R. No. 1—Relative to the reception of His Excellency, the Governor.

N. S. PORTER,
Chief Clerk.

Mr. McGilvra moved that the word "majority" be stricken out in rule 3, and to insert the words "two-thirds," in lieu thereof.

Motion lost.

Mr. Van Bokkelen moved to strike out the word "present," where it appears in section 37, and insert in lieu thereof the words "within the bar."

Mr. Eldridge moved as an amendment, to strike out rule 37.

Motion as amended, lost.

The question recurring on the original motion, it was lost.

Mr. Eldridge moved to strike out the latter part of rule 50.

Motion lost.

On motion of Mr. Van Bokkelen,

The report of the committee on Rules and Orders was adopted.

Mr. Eldridge presented the following report:

MR. SPEAKER:—

Your committee appointed by the House to act with a like committee on the part of the Council, beg leave to report that they have waited upon His Excellency, Gov. Pickering, and were informed by him that he will present a communication to the Legislative Assembly to-morrow at twelve o'clock.

E. ELDRIDGE,
Chairman.

The Speaker announced the following Standing committees:

JUDICIARY:

Messrs. Simmons, McGilvra, Henry, Van Bokkelen and Kelley.

FEDERAL RELATIONS AND MEMORIALS:

Messrs. Henry, Eldridge, Heckert, Knapp and Smith.

INDIAN AFFAIRS:

Messrs. Heckert, Huntington, Eldridge, O'Bryant and Simmons.

CORPORATIONS:

Messrs. Brazee, Clymer, Temple, Huntington and Longmire.

WAYS, MEANS AND CLAIMS:

Messrs. O'Bryant, Huntington, Longmire, Van Bokkelen and Knapp.

ROADS AND HIGHWAYS:

Messrs. Knapp, Huntington, Ruth, Clarke and Brazee.

PRINTING:

Messrs. Rees, Clarke, Pollock, Temple and Morgan.

RULES AND ORDERS:

Messrs. Eldridge, Henry, McGilvra, Morgan and Smith.

TERRITORIAL LIBRARY, PUBLIC BUILDINGS AND GROUNDS:

Messrs. Ruth, Brazee, Clymer, Harmon and Smith.

COMMERCE:

Messrs. Robinson, Brazee, Clymer, Hancock and Temple.

ENROLLED BILLS:

Messrs. Hancock, Rees, Smith, Kellley and Young.

ENGROSSED BILLS:

Messrs. McGilvra, Morgan, Simmons, Young and Longmire.

EDUCATION:

Messrs. Kelley, Pollock, Clymer, Clarke and Robinson.

AGRICULTURE:

Messrs. Pollock, Ruth, O'Bryant, Clarke and Robinson.

COUNTIES:

Messrs. Hancock, Young, Temple, Ruth and Kelley.

ELECTIONS:

Messrs. Rees. Morgan, Young, Pollock and Brazee.

MILITARY AFFAIRS:

Messrs. Van Bokkelen. McGilvra, Eldridge, Knapp and Simmons.

MINES AND MINING INTERESTS:

Messrs. Longmire, Pollock, O'Bryant, Clymer and Harmon.

Mr. Van Bokkelen, of Stevens, introduced

H. B. No. 1—An act amending an act to restrain and license dance houses, in the counties of Kitsap, Jefferson and King.

Bill read first time.

On motion of Mr. Morgan,

The rules were suspended, and the bill read second time.

On motion of Mr. Van Bokkelen,

Bill referred to committee on Judiciary.

Mr. Van Bokkelen, of Stevens, introduced

H. B. No. 2—An act to repeal an act, and the amendments thereto, to protect the white labor against Chinese coolie labor.

Bill read first time.

C. J. R. No. 1—Relative to the reception of the Governor.

Read first time.

On motion of Mr. Eldridge,

Rules suspended, and resolution read second time.

On motion of Mr. Smith,

The rules were further suspended, and the resolution read third time and passed.

Mr. Eldridge moved that 50 copies of Standing Committees be ordered printed for the use of the House.

Motion carried.

Mr. Clymer moved that 50 copies of Rules and Orders be printed for the use of the House.

Motion carried.

On motion of Mr. Eldridge,

House adjourned until to-morrow morning at 10 o'clock.

CHAS. EAGAN,
Chief Clerk.

HOUSE OF REPRESENTATIVES,
Tuesday, December 11, 1866.

House met pursuant to adjournment.

Mr. Speaker in the chair.

Absent—Messrs. Barstow, Clarke, Eldridge, Ford, Huntington, Jesse, Jacobs, McGilvra, Pollock, Page, Van Bokkelen.

Journal of yesterday read and approved.

Prayer by the Chaplain.

Mr. Morgan, of Jefferson, introduced

H. J. M. No. 4—Praying for an appropriation for building a custom house at Port Townsend, for Collection District No. 103, Puget Sound.

Read a first time.

Mr. Robinson, of Jefferson, introduced

H. J. M. No. 1—Relative to dry dock on Puget Sound.

Read first time.

Mr. Rees, of Walla-walla, introduced

H. M. No. 2—Relative to the Mullan Road.

Read first time.

Mr. Harmon presented a petition from citizens of Island county, relative to a road from Skagit Head to Deception Pass.

Mr. Reese, of Walla-walla, introduced

H. B. No. 4—An act to authorize D. J. Schnebley to construct a bridge across Spokane river.

Bill read first time.

Mr. Van Bokkelen, of Stevens, introduced

H. B. No. 3—Relative to the public roads in Stevens county.

Bill read first time.

Mr. Rees, of Walla-walla, introduced

H. B. No. 5—An act relating to the filling of vacancies in county offices.

Read first time.

Mr. Robinson, of Jefferson, introduced

H. J. R. No. 4—Relative to the erection of fortifications on Puget Sound.

Read first time.

Mr. Robinson, of Jefferson, introduced

Resolution relative to elections.

Read first time.

Mr. Knapp, of Clarke, introduced

H. B. No. 6—An act relative to fences and fence viewers.

Read first time.

On motion of Mr. Eldridge,

The bill was laid upon the table and ordered printed.

Mr. Young, of Kitsap, introduced

H. B. No. 7—Relative to license in Kitsap county.

Read first time.

Mr. Harmon, of Island, introduced

H. B. No. 8—An act to repeal an act to locate a Territorial road from Skaget Head to Deception Pass, in Island county.

Read first time.

On motion of Mr. Morgan,

Rules suspended and bill read second time by title.

On motion of Mr. O'Bryant,

Referred to committee on Roads and Highways.

Mr. Eldridge, of Whatcom, introduced

H. M. No. 3—For the relief of John Cosgrove.

Read first time and ordered printed.

Mr. Eldridge moved that the committee on Rules and Orders on the part of the House be instructed to confer with a like committee on the part of the Council relative to the adoption of a set of joint rules for both Houses.

Motion carried.

Mr. Smith moved that all bills, memorials, resolutions, &c., be ordered printed after first reading, unless otherwise ordered.

Motion carried.

H. J. R. No. 3—Relative to distribution of muskets in Snohomish county.

Read second time.

On motion of Mr. Clymer,

Referred to committee on Military Affairs.

H. B. No. 2—An act to repeal an act, and the amendments thereto, to protect free white labor against Chinese coolie labor.

Read second time and referred to committee on Judiciary.

The following message was received from the Council by their clerk:

COUNCIL CHAMBER,
December 11, 1866.

MR. SPEAKER—

I am instructed by the Council to inform the House of the introduction in the Council of the following:

C. B. No. 1—An act to amend an act entitled, an act relating to suits on foreign judgments, approved January 18, 1866.

C. B. No. 2—An act to regulate the holding of lead, copper and other mining claims.

Also, the introdution and passage of

C. B. No. 3—An act to amend an act entitled, an act to incorporate the city of Walla-walla, passed January 11, 1862.

Also, the introduction of

C. B. No. 4—An act to provide for the execution and acknowledgment of deeds out of this Territory.

C. B. No. 5—An act to repeal an act entitled, an act relating to elections, and the mode of supplying vacancies, passed January 23, 1866.

Also, of the introduction of

C. B. No. 6—An act to fix the time of meeting of the Legislative Assembly of the Territory of Washington.

C. B. No. 7—An act to amend an act entitled, "an act establishing a common school system for the Territory of Washington," approved Jan. 27, 1866.

N. S. PORTER,
Chief Clerk.

Mr. Eldridge moved a suspension of the rules in order to receive the report of Joint committee on Rules and Orders.

The rules being suspended, Mr. Eldridge presented the following report:

MR. SPEAKER—

Your committee on Rules and Orders have conferred with the committee on Rules and Orders on the part of the Council, and recommend the adoption of the Joint Rules of last session, with the following amendments: Amend rule 10, by striking out the word "ten," and insert in lieu thereof the word "five," and strike out all after the word "days," in the same rule.

All of which is respectfully submitted.

EDWARD ELDRIDGE,
Chairman.

On motion of Mr. Ruth,

The report of the committee was adopted.

Mr. Eldridge moved that the Clerk be instructed to inform the Council that the House is now ready to meet the Council in joint convention to receive the Governor's message.

Motion carried.

Council met the House in Joint Convention to hear the Governor's Message read, as follows:

Gentlemen of the Council and House of Representatives
of the Legislative Assembly of the Territory of Washington:

I cheerfully give to every one of you a most hearty welcome to the Capital. Another year has rolled round, and you are again summoned to the duty of legislating and adopting the best possible plans for the promotion of the future welfare and prosperity of every part of this Territory, which bears the name of the illustrious Washington. Our earnest thanks are due to our Maker and Benefactor, who has blessed us by crowning this year with his goodness, and favored us above many other portions of our beloved land, in saving us from "the pestilence that walketh in darkness." Before all other works, let us unite in returning our sincere thanks to Almighty God, for his merciful preservation of our lives during the past year, and for the manifold blessings He has bestowed upon us.

I respectfully invite your most serious attention to the very startling fact that the permanent population of the Western half of Washington Territory, from the summit of the Cascade Mountains to the Pacific Ocean, is about as sparse at this day as it was ten years ago, and what is still more startling, from past experience we have every reason to believe that the inhabitants of this region cannot and will not materially increase in numbers for many years to come, because the farming immigrants cannot bring their families across these tremendously high, broad, and rugged mountains, unless a good and safe road is made at an early day entirely through the Cascade Range.

The Cascade Mountains extend the whole length of Washington Territory; they are from forty to sixty miles wide at their base, and have an elevation ranging from five thousand to seven thousand feet. They stand as an impassable barrier, over which immigrants cannot travel, and have stopped and prevented multitudes of families year after year from coming into and settling upon the good farming lands of the Puget Sound country, between the Cascades and the Pacific Ocean.

The large extent or aggregate amount of rich soil, well adapted for all agricultural purposes, located in the Western half of this Territory, is not generally known even to our own citizens, for many parts yet remain undeveloped, and are rarely visited by white men. Let me invite your attention to a few statistical facts regarding it, most of which from personal observation I know to be true, and the remainder I have from the most trustworthy and reliable sources of information.

Beginning at the Northern boundary, and coming South along the meanderings of the coast and of Puget Sound, the Nootsack river has rich lands on both sides for 30 miles; the Lummie, 6; the Samish, 20; the Skagit, 50; the Stuliguamish, 25; the Snohomish, 20; the Skykomish, 40; the Snoqualmie 40; (the Prairie and Pass, 20;) the Cedar river, 25; the rich lands lately discovered between the Cedar and Snoqualmie rivers, 50; White river and branches 40; streams emptying into Washington and Squak lakes, 20; the Dwamish, 12; Puyallup, 20; Nesqually, 55; Deschutes 20; Chehalis, 70; Wynuchia, Satsop, Black river and lake, Skoocumchuck, and other tributa-

ries, 65; Johns river, Umptulah, Quichcum, Whiskkah and other tributaries of Gray's Harbor, 55; North river, Willopah and other tributaries of Shoalwater Bay, 35; Columbia river, 100; Cowlitz 65; East fork and Comeman, 20; Lewis and its forks, 30; Washougal, 10; Salmon river, 20. On the Pacific coast, Quenault, Raft, Queetes, Ohahlat, Quillehcutes, Tsooyess, and other streams, 90; Okeho, Clallm, Fiske, Elwha, Dungeness, Squim Bay, and Port Discovery, 80; Chimmicum and branches, 30; tributaries of Hood's Canal, 100; making an aggregate length of 1,318 miles of rich river bottom lands, ranging from two to five miles in width, together with numerous small creeks with equally rich soil on their banks, averaging about a mile in width, making about 400 miles in length, altogether sufficient to furnish upwards of twenty thousand farming families with one hundred and sixty acres each, and in addition to all this, there are innumerable tracts of good farming soil upon the table lands.

To render this vast extent of rich farming lands available, it is necessary that immigrants should be enabled to reach the Western half of this Territory, by their usual method of land travel. And if you should devise and carry into effect some practicable plan by which this can be done, you will merit not only the good will, the confidence and the gratitude of your constituents, but of the thousands who will yet, under the good Providence of Almighty God, occupy these fertile valleys, that are as rich, much less liable to inundation, and are in every way as well fitted to sustain a large population as any in the United States.

It also becomes my duty to present for your consideration, one material fact belonging to this important subject of providing for the future increase and general welfare of the population of this Territory, that from frequently repeated explorations, it has been reliably ascertained, that very near the true geographical centre of Washington Territory, there is a deep and broad valley clear through the whole width of the Cascade Mountains, not a mere pass or trail over them, but a wide and deep opening, entirely through the range, and known as the "Snoqualmie Pass," which nature appears to have formed as if for the express purpose of facilitating uninterrupted intercourse between the Eastern and the Western sections of our Territory.

Either a wagon road or a rail road can be easily constructed through this valley, in which even in the coldest winters, the snow would offer no greater impediments to travelers than in the New England States, if indeed as much, and floods could never interrupt the travelling or transportation for one moment.

With great satisfaction I beg leave to recommend the full consideration of this whole subject to your most earnest attention, hoping that your wisdom, patriotism, and high minded desire to improve the present and future condition of this part of our beloved country, now placed under your especial care, will enable you to devise some means of opening this "Central Wagon Road" through the Cascade Mountains, now become so necessary for furnishing an immediate and convenient link of connection between the valuable and exten-

sive pasture lands in the Eastern half, and the fine timber and rich farming regions in the Western half, thus insuring a more rapid increase of our population, and more securely providing for the future welfare and general prosperity of every portion of this Territory.

For the more effectual preservation of the public peace, the prevention of quarrels, and the consequent retaliatory acts of violence and murders being revengefully committed between the Indians and the enterprising pioneer whites, it is considered by every intelligent man of experience, to be necessary to have the Indian title to all the lands in this Territory extinguished at the earliest day practicable, and to have the public lands surveyed as soon thereafter as convenient, wherever our citizens settle upon them, to enable all resident claimants to obtain proper titles thereto without unnecessary or unreasonable delay. Large numbers of persons have settled in the neighborhood of Colville and other places where the Indian title has not been extinguished, and I recommend to your consideration the propriety of your memorializing Congress, praying for the necessary legislation.

Every country in Europe, Asia, Africa and America, has been pressingly invited to send specimens of its best natural and artificial productions to the World's great Fair to be held at Paris during the next year, and called the "Paris Exposition of 1867." Pamphlets in relation to the subject, were sent to me by the Hon. W. H. Seward, United States Secretary of State, and by Hon. — Derby, of New York, United States Commissioner for the fair, all of which I distributed, published an advertisement thereof, and made special application to a number of persons, in particular to the several proprietors of our saw mills, recommending them to forward samples of our lumber, &c.

In August last, I had great satisfaction in aiding Mr. Thomas Cranney, of Utsalada, to make arrangements with Captain Hurrol of the ship "Belmont," to take from the lumber mills of Messrs. Grennan & Cranney, a flag-staff, one hundred and fifty feet long, twenty-four inches in diameter at the largest end, sixteen inches in the middle, and eleven inches in diameter at the top. It was originally two hundred feet in length, but unfortunately the ship could only carry it one hundred and fifty feet long. Thus it will be impossible for us to convey to the hundreds of thousands and millions who will congregate in Paris between March 1st to December, 1867, a true idea of the magnitude of our timber trees, but shorn of its fair proportions as it is, by its being shortened full fifty feet, the glorious flag of our beloved country, will float from its top, to the admiration of all visitors, far above the emblems and banners of any other nation.

The credit of practically carrying out the plan of sending our native grown National flag-staff from the Territory of Washington to the World's greatest fair ever held on earth, the "Paris Exposition of 1867," which doubtless will be gratifying to every loyal hearted citizen of the United States, both at home and abroad, is due to Mr. Cranney.

The Registers and Receivers of the two Land Offices at Olympia and Vancouver have furnished me with an abstract of the amount of business

done at their respective offices during the past year, from which it appears that from the 1st day of December, 1865, to the 30th day of November, 1866, the following amounts of public lands have been purchased or settled upon, under the pre-emption and homestead acts:

AT VANCOUVER.

No. of acres sold at $1 25 per acre,.....	7,940 45-100	$9,925 06
No. of acres under homestead act,.....	16,034 75-100	
No. of acres entered with military land warrants,..	2,400	
No. of acres entered under pre-emption act,.....	3,680	
Total lands disposed of,.....	30,055 20-100	

AT OLYMPIA.

No. of acres sold at $1 25 per acre,.....	10,788 60-100	$13,492 51
No. of acres entered under homestead act,.....	9,309	
No. of acres entered under military land warrants,.	2,852 60-100	
No. of acres entered under pre-emption act,.....	6,283 95-100	
Total number of acres disposed of,.....	29,234 15-100	

From the Surveyor General's Office I have received the following statement of the steady progress of the surveying of the public lands:

Total number of acres surveyed in the Territory of Washington, up to the close of the fiscal year ending June 30th, 1866,.....	3,873,541
Estimated amount surveyed and under contract, exclusive of townships not subdivided, or to be subdivided, for the fiscal year ending June 30th, 1867,.....	506,880
Total surveyed and under contract,.....	4,380,421
Number of miles surveyed and under contract, for the fiscal year ending June 30th 1867, ...	1,715
Estimated cost of surveys including standard, for year ending June 30th 1867,.....	$18,250

The Assessor and Collector of Internal Revenue, have given the following information:

Assessed during the fiscal year ending June 30th 1866,.....	$63,854 48
Amount of U. S. Internal Revenue collected during the fiscal year ending June 30th, 1866,.....	59,492
Estimated amount for the fiscal year ending June 30th, 1867,.....	75,000

In conformity with a memorial from the last Legislative Assembly, an act was passed by Congress, entitled "an act amendatory of the Organic Act of Washington Territory," approved June 30th, 1866, in which it is provided that the sessions of the Legislature shall hereafter be held biennially. Suitable legislation will become necessary during your present session, to properly carry into effect the requirements of that law, and probably you may be enabled to dispense with the necessity of holding general elections every year as

heretofore, and it may become advisable to establish a new system of biennial elections.

I would respectfully call your attention to the condition of the insane and idiotic persons within our borders. For several years past they were under the good care of the Sisters of Charity at Vancouver, who had contracted according to law for their safe keeping and proper treatment. To insure their payment every three months, special legislation became necessary, and an act was passed for that purpose.

At the expiration of their contract, a new contract was entered into by Messrs. James Huntington and W. W. Hays of Monticello, at a lower rate, under the belief that the law which secured a quarterly payment to the Sisters of Charity, would also insure the quarterly payment to the present contractors, but some doubts are entertained, and without further legislation on your part, they may be deprived of their payments for an indefinite period, which would be such a violation of their contract as would finally result in compelling them to abandon it, which would be much more expensive to the Territory than ever. I commend this subject to your early attention.

The removal of the insane patients from Vancouver to Monticello occasioned the necessity of having a new board of inspectors, when agreeably to the law creating said offices, I appointed Benjamin Huntington Judge of Probate of Cowlitz County, A. R. Burbank and R. C. Smith, residents of Monticello, as inspectors. The report of the board of inspectors of the insane asylum, is herewith submitted:

To His Excellency Wm. Pickering, Governor of the Territory of Washington:

Benjamin Hooper, entered asylum July 20, 1866; former residence, Kitsap county; age, 45 years; no improvement in mental health; bodily health, good.

Paul Patterson, entered asylum July 19, 1866; former residence, Kitsap county; age, 42 years; mental health, improving; bodily health, good, and treated with a view to dismissing at an early day.

Charles Moore, entered asylum July 19, 1866; former residence, Lewis county; age 23, years; mental health, no improvement; bodily health, good.

Junius Hunt, entered asylum July 19; former residence, Sawamish county; age, 31 years; mental health, no improvement; bodily health. good.

Augustus Kruber, entered asylum July 19, 1866; former residence, Pierce county; age, 41 years; mental health, no improvement; bodily health, good.

Margaret Comito, entered asylum July 19, 1866; former residence, Clarke county; age, 37 years; mental health, no improvement; bodily health, good;

Mrs. P. Schruble, entered asylum July 19, 1866; former residence, Walla-walla; age, 40 years; mental health, no improvement; bodily health, poor, under medical treatment.

Eliza Pilscher, entered asylum July 19, 1866; former residence, Walla-walla county; age, 13 years; idiotic; bodily health, good.

Pelagra Kimberland, entered asylum July 19, 1866; former residence, Clarke county; age, 50 years; mental health, no improvement; bodily health, feeble; under care of physician.

Maria Lane, entered asylum July 19, 1866; former residence, Walla-walla county; age, 36 years; mental health, no improvement; bodily health, good.

Minerva Fulkerson, entered asylum July 19; former residence, Clarke county; age, 30 years; mental health, no improvement; bodily health, good.

Mary C. Spinning, entered asylum August 8, 1866; former residence, Pierce county; age, 32 years; mental health, no improvement; bodily health, much better.

JAMES HUNTINGTON,
W. W. HAYS.

And your Inspectors would also further report that they have made a careful examination of the house and adjoining grounds of the Asylum. They are situated on the north-east bank of the Cowlitz river, about one half mile above Monticello. The buildings are sufficiently large to accommodate the present number of patients. They are unfinished: the rooms well ventillated: the beds warm and clean. The patients appear to be well cared for, with medical attendance by a competent physician once per week, and oftener when necessary. The grounds are in an uncultivated State, being newly cleared up from woodland, with one yard 40 by 60 feet square, with eight feet walls, but we have the assurance of the proprietors of the asylum that the buildings will be finished, and the adjoining grounds cleared up as fast as the work can conveniently progress. We also find that the patients have suitable food, sufficient clothing for the season of the year, and have plenty of out-door exercise in open ground. All of which we would respectfully report.

September 18, 1866.

BENJAMIN HUNTINGTON,
Judge of the Probate Court.
A. R. BURBANK,
R. C. SMITH,
County Commissioners.

Were a suitable reward offered to any one who might succeed in discovering gold or silver mines within the limits of our Territory, which would return a fair compensation for labor expended, it would be an encouraging stimulus to the adventurous portion of our community, and would induce them to search for the hidden minerals, so generally believed to be deposited in many portions of our domain.

I sincerely trust that your labors may have a wholesome and salutary influence upon the public prosperity of the Territory, and that peace and harmony may pervade your councils.

WILLIAM PICKERING,
Governor of Washington Territory.

Olympia, Dec. 11, 1866.

After the reading of the Governor's Message, the Joint Convention dissolved, and;

On motion of Mr. Van Bokkelen,

Five hundred copies of the Governor's Message were ordered printed for the use of the House.

Mr. Smith, of Snohomish, introduced,

H. J. R. No. 9—Relative to persons escaping from justice.

Resolution read first time.

On motion of Mr. Van Bokkelen,

House adjourned until to-morrow morning at 10 o'clock.

CHAS. EAGAN,
Chief Clerk.

HOUSE OF REPRESENTATIVES,
Wednesday, December 12, 1866.

House met pursuant to adjournment.

Mr. Speaker in the chair.

Present—Messrs. Brazee, Clymer, Clark, Eldridge, Hancock, Harmon, Knapp, Kelley, Longmire, O'Bryant, Pollock, Rees, Ruth, Simmons, Temple and Van Bokkelen.

Prayer by the Chaplain.

Journal of yesterday read and approved.

Mr. Van Bokkelen of Stevens, introduced

H. B. No. 9—An act to amend an act to authorize Antoine Plant to establish a ferry across the Spokane river.

Bill read first time.

Mr. Clymer, of King, introduced

H. B. No. 10—An act to amend an act entitled, "an act in relation to license in King county."

Bill read first time.

On motion of Mr. Knapp,

The rules were suspended, and the bill read second time.

On motion of Mr. Knapp,

Bill referred to committee of Ways and Means, with instruction to bring in a general bill by Monday next.

H. B. No. 4—An act to authorize D. J. Schnebley to construct a bridge across the Spokane river.

Bill read second time.

On motion of Mr. Simmons,

Bill referred to committee on Corporations.

H. J. M. No. 4—Praying an appropriation to erect a custom house at Port Townsend.

Read second time.

Mr. Van Bokkelen moved to amend by inserting the words "marine hospital," after the word "house."

Amendment carried.

On motion of Mr. Simmons,

Memorial referred to committee on Federal Relations and Memorials.

H. B. No. 5—An act in relation to the filling of vacancies in county offices.

Read second time.

Mr. Heckert moved to refer to committee on the Judiciary.

Mr. Eldridge moved to amend by referring to committee on Elections.

Motion as amended, carried.

H. J. R. No. 9—Relative to persons escaping from justice.

Resolution read second time.

Mr. Smith moved to amend the resolution by inserting the words "such reward to be paid out of the Territorial treasury," after the word "proper."

Motion carried.

Mr. Eldridge moved to refer to committee on Ways and Means.

Motion carried.

H. B. No. 7—An act in relation to licenses in Kitsap county.

Bill read second time.

On motion of Mr. Rees,

Bill referred to committee on Judiciary.

H. B. No. 8—An act to repeal an act to locate a Territorial road from Skaget Head to Deception Pass, in Island county.

Bill read second time.

On motion of Mr. Clymer,

Bill referred to committee on Roads and Highways.

Mr. Robinson moved that the House take a recess of half an hour.

Motion carried.

House called to order.

H. M. No. 3—For the relief of John Cosgrove.

Memorial read second time.

On motion of Mr. Eldridge,

The rules were suspended and the memorial read a thidr time and passed.

H. J. M. No. 1—Relative to erection of dry dock on Puget Sound.

Memorial read second time.

On motion of Mr. Van Bokkelen,

Memorial referred to committee on Memorials.

The following message was received from the Council by their Clerk:

COUNCIL CHAMBER,
December 12, 1866.

MR. SPEAKER—

I am instructed by the Council to inform the House of the introduction in the Council of the following:

C. B. No. 8—An act to amend an act entitled, "an act for the better observance of the Sabbath."

C. B. No. 9—An act to amend an act entitled, "an act to regulate marriages," passed, Jan. 15, 1866.

C. B. No. 10—An act to vacate certain streets and alleys in Swan's addition to the town of Olympia.

N. S. PORTER,
Chief Clerk.

H. B. No. 6—An act relative to fences and rence viewers.

On motion of Mr. Knapp,

Was laid on the table subject to the order of the House.

Resolution relative to elections was read second time, and,

On motion of Mr. Van Bokkelen,

Was referred to committee on Elections.

Mr. Van Bokkelen, of Stevens, introduced

H. R. No. 2—Relative to the Road commissioners appointed by an act approved January 27, 1866.

WHEREAS, At the last session of the Legislative Assembly of the Territory of Washington, an act was passed appointing Levi Farnsworth and James Busby commissioners to examine the various passes through the Cascade range,

Be it resolved, That the chairman of the committee on Roads and Highways be requested to obtain for the use of the House copies of the reports of said commissioners.

The rules were suspended, and the resolution read a third time and passed.

On motion of Mr. Henry,

House adjourned until to-morrow morning 10 o'clock.

CHAS. EAGAN,
Chief Clerk.

HOUSE OF REPRESENTATIVES,
Thursday, December 13, 1866.

House met pursuant to adjournment.

Mr. Speaker in the chair.

Roll called. Present—Messrs. Brazee, Clymer, Clarke, Henry, Harmon, Heekert, Huntington, Knapp, Kelley, Longmire, Morgan. O'Bryant, Pollock, Rees, Ruth, Robinson, Smith, Temple and Young.

Absent—Messrs. Barstow, Eldridge, Ford, Hancock, Jesse, Jacobs, McGilvra, Page, Simmons and Van Bokkelen.

Prayer by the Chaplain.

Journal of yesterday read and approved.

Mr. Van Bokkelen, of Stevens, introduced

H. M. No. 5—Relative to carrying the mail on route No. 15,407, between Walla-walla and Pinkney city.

Memorial read first time.

Mr. Brazee, from committee on Corporations, presented report relative to

H. B. No. 4—An act to authorize D. J. Schnebley to construct a bridge across Spokane river.

Mr. Harmon, of Island, introduced

H. M. No. 6—Praying Congress to increase the number of Indian Agents.

Memorial read first time.

On motion of Mr. Eldridge,

The rules were suspended and the memorial read second time by title.

On motion of Mr. Van Bokkelen,

Memorial referred to committee on Indian Affairs.

Mr. Smith, of Snohomish, introduced

H. B. No. 11—An act to secure to orphans and other children in the Territory of Washington a common school education.

Bill read first time.

Mr. Van Bokkelen, of Stevens, introduced

H. J. R. No. 10—Relative to appropriation for building capitol and penitentiary.

Resolution read first time.

On motion of Mr. Clymer,

Rules suspended and resolution read second time by title.

On motion of Mr. Longmire,

Referred to committee on Public Buildings and Grounds.

Mr. Knapp moved a suspension of the rules in order to take up

H. B. No. 6—An act relative to fences and fence viewers.

Motion carried.

Bill read second time.

On motion of Mr. Knapp,

Bill referred to committee on Agriculture.

Mr. Henry, of Thurston, introduced

H. B. No. 12—An act to amend an act entitled "an act to regulate fees and costs."

Bill read first time.

On motion of Mr. Smith,

Rules suspended and bill read second time by title.

On motion of Mr. Knapp,

Bill referred to committee on Elections, with instructions to bring in a general bill in relation to county officers and also a bill regulating their fees.

Second reading of bills:

H. J. R. 4—Relative to the erection of fortifications on Puget Sound.

Resolution read second time.

On motion of Mr. Robinson,

Resolution referred to committee Military Affairs.

H. B. 9—An act to amend an act entitled "an act to authorize Antoine Plant to establish a ferry on Spokane river."

Bill read second time by title.

On motion of Mr. Simmons,

Bill referred to committee on Corporations.

H. M. No. 2—Relative to the Mullan road.

Memorial read second time by title, and

On motion of Mr. Van Bokkelen,

The rules were suspended and the memorial read a third time and passed.

Business on the table:

H. B. No. 4—An act to authorize D. J. Schnebley to construct a bridge across the Spokane river,

Was taken from the table with the report thereon.

Mr. Smith moved the report be adopted.

Mr. Clymer moved to amend by laying the report upon the table and proceed to the consideration of the bill.

Question on amendment carried.

Original motion as amended carried.

Mr. Van Bokkelen moved that the rules be suspended, and the bill be read a third time now.

Motion lost.

On motion of Mr. Clymer,

House adjourned until to-morrow morning at 10 o'clock.

CHAS. EAGAN,
Chief Clerk.

HOUSE OF REPRESENTATIVES,
Friday, December, 14, 1866.

House met pursuant to adjournment.

Present—Messrs. Brazee, Clymer, Clark, Eldridge, Hancock, Henry, Harmon, Heckert, Huntington, Knapp, Kelley, Longmire, Morgan, Pollock, Rees, Ruth, Robinson, Simmons, Smith, Temple, Van Bokkelen and Young.

Absent—Messrs. Barstow, Ford Jesse, Jacobs, McGilvra and Page.

Prayer by the Chaplain.

On motion of Mr. Clymer,

Mr. Eldridge, notary public, administered the oath of office to Mr. Ford, the member elect from Chehalis county.

Mr. Ruth presented a petition from citizens of Thurston county, relative to a certain water course.

On motion of Mr. Clymer,

The petition was referred to the delegation from Thurston county with instructions to bring in a bill.

Mr. O'Bryant, from committee on Ways and Means, presented a report relative to

H. J. R. No. 9—Relative to persons escaping from justice.

Mr. Heckert, from committee on Indian Affairs, presented report relative to

H. M. No. 6—Praying Congress to increase the number of Indian agents in Washington Territory.

Mr. Simmons, from committee on Judiciary, presented report relative to

H. B. 1—Substitute—An act to restrain and license dance and hurdygurdy houses.

Mr. Simmons, chairman of committee on Judiciary, presented report on

H. B. No. 2—An act to repeal an act entitled, "an act to protect free white labor against competition with Chinese coolie labor, and to discourage the immigration of the Chinese into the Territory" [illegible] and Jan. 30, 1886, and Jan. 12, 1888.

[illegible]

[illegible]

[illegible]

H. J. M. 7—Praying for an appropriation of $20,000 to build a military road from Port Angeles to Gray's Harbor.

Memorial read first time.

Mr. Smith of Snohomish, introduced

H. B. No. 13—An act to amend an act relative to support of the poor.

Bill read first time.

Mr. Van Bokkelen, of Stevens, introduced

H. B. No. 14—An act for the relief of Isaac L. Roberts.

Bill read first time.

Mr. Knapp, of Clarke, introduced

H. R. 3—Relative to school lands of the Territory of Washington.

On motion of Mr. Van Bokkelen,

The resolution was laid upon the table and ordered to be printed.

Second reading of bills:

H. M. No. 5—Relative to carrying of mail on route No. 15,417, between Walla-walla and Pinkney city.

Memorial read second time.

On motion of Mr. Clymer,

The rules were suspended and the memorial read third time and passed.

H. B. 11 [illegible]

Bill [illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible] CHAMBER,
[illegible], 11, 1866.

MR. SPEAKER—

I am instructed by the Council to inform the House of the introduction in the Council of the following:

C. B. No. 11—An act to amend an act entitled "an act to regulate fees and costs in certain counties."

C. B. No. 12—An act to fix a time for holding the terms of the supreme and district courts of the Territory of Washington.

Also, of the introduction and passage of

C. J. R. 3—Relative to the death of Sidney S. Ford.

Also, the passage of

C. B. No. 1—An act to amend an act entitled, an act relating to suits on foreign judgments, approved January 18, 1866.

C. B. No. 6—An act to fix the time of meeting of the Legislative Assembly of the Territory of Washington.

C. B. No. 2—An act to regulate the holding of lead, copper and other mining claims,

C. B. No. 4—An act to provide for the execution and acknowledgments of deeds out of the Territory.

H. M. No. 3—For the relief of John Cosgrove.

N. S. PORTER,
Chief Clerk.

H. J. R. No. 9—Relative to persons escaping from justice, was taken up, and

On motion of Mr. Eldridge,

[illegible]

MR. SPEAKER:

Your committee on the whole, having had under consideration H. B. No. 2 An act to repeal an act, and the amendments thereto, to protect free white labor against Chinese coolie labor, have instructed me to report the same back to the House, and ask to be discharged from the further consideration of the subject matter.

H. A. SMITH,
Chairman.

On motion of Mr. Longmire,

Report adopted.

Mr. Speaker in the chair:

Mr. Van Bokkelen moved that the rules be suspended, and now assigned as the time for the third reading of

H. B. 2—An act to repeal an act, and the amendments thereto, to protect free white labor. against Chinese coolie labor.

Motion lost.

Mr. Simmons moved that the bill be indefinitely postponed.

Upon this motion the ayes and noes were demanded, and resulted as follows:

Those who voted in the affirmative are—

Messrs. Clymer, Clarke, Eldridge, Hancock, Henry, Heckert, Knapp, Kelley, Longmire, O'Bryant, Pollock, Rees, Simmons and Mr. Speaker—14.

Those who voted in the negative are—

Messrs. Brazee, Ford, Harmon, Huntington, Morgan, McGilvra, Ruth, Robinson, Temple, Van Bokkelen and Young—11.

So the bill was indefinitely postponed.

H. B. No. 10—An act to amend an act entitled "an act in relation to license in King county," was taken up, and

On motion of Mr. Van Bokkelen,

The rules were suspended and the bill read third time, passed and title agreed to.

The Speaker announced to the House that he was about to sign

H. M. No. 3—For the relief of John Cosgrove.

On motion of Mr. Van Bokkelen,

House adjourned until to-morrow morning at 10 o'clock.

CHAS. EAGAN,
Chief Clerk.

HOUSE OF REPRESENTATIVES,
Saturday, December 15, 1866.

House met pursuant to adjournment.

Mr. Speaker in the chair.

Roll called. Present—Messrs. Brazee, Clymer, Clarke, Eldridge, Ford, Hancock, Henry, Harmon, Heckert, Knapp, Kelley, Longmire, Morgan, McGilvra, O'Bryant, Pollock, Rees, Ruth, Robinson, Simmons, Smith, Temple, Van Bokkelen and Young.

Absent—Messrs. Barstow, Huntington, Jessie, Jacobs and Page.

Prayer by the Chaplain.

Journal of yesterday read and approved.

Mr. McGilvra introduced petition from citizens of Seattle, asking repeal of town charter.

Mr. Clymer moved that the petition be referred to King county delegation, with instructions to report by bill.

Motion carried.

Mr. Van Bokkelen, from committee on Military Affairs, submitted report relative to

H. J. R. No. 3—Relative to distribution of muskets in Snohomish county.

H. J. R. No. 4—Relative to erection of fortifications on Puget Sound.

Mr. Rees, from committee on Elections, presented report relative to

H. B. No. 5—An act in relation to the filling of vacancies in county offices.

Mr. Knapp, from committee on Roads and Highways, presented report relative to a report of road commissioners appointed by the Legislature last session.

Mr. Ruth, from committee on public Grounds and Buildings, presented report relative to

H. J. R. 10—Relative to appropriation for building capitol and penitentiary.

Mr. Morgan, of Jefferson, introduced

H. R. 4—Relative to public arms belonging to the Territory.

On motion of Mr. McGilvra,

The resolution was adopted.

Mr. Morgan, of Jefferson, introduced

H. J. M. No. 8—Praying that vessels of war be stationed on Puget Sound.

Memorial read first time.

Mr. Ruth, of Thurston, introduced

H. B. No. 15—An act to amend an act entitled "an act to protect sheep and wool growers."

Bill read first time.

Mr. Robinson, of Jefferson, introduced

H. J. M. No. 9—Praying for the right of way across the military reservation at Port Townsend.

Memorial read first time.

Mr. Simmons moved that a select committee of three be appointed to enquire into the expediency of revising the duty and powers of county officers, and incorporating them into the statutes of this session.

Motion carried.

The chair appointed Messrs. Simmons, Eldridge and Morgan, said committee.

Mr. Van Bokkelen, of Stevens, introduced

H. B. 16—An act to amend an act entitled "an act to amend an act to protect free white labor against Chinese coolie labor."

Bill read first time.

Second reading of bills:

H. J. M. 7—Praying for an appropriation of $20,000 to build a military road from Port Angeles to Gray's Harbor.

Bill read second time by title.

On motion of Mr. Simmons,

Memorial referred to committee on Federal Relations and Memorials.

H. B. No. 14—An act for the relief of Isaac L. Roberts.

Bill read second time by title.

On motion of Mr. Longmire,

Bill referred to committee on Ways, Means and Claims.

H. B. No. 13—An act to amend an act relative to support of the poor.

Bill read second time by title.

On motion of Mr. Smith,

Bill referred to committee on Counties.

Business on the table.

On motion of Mr. Smith,

H. J. R. No. 9—Relative to persons escaping from justice, was taken from the table.

Mr. Smith offered H. B. No. 17, as a substitute for H. J. R. 9, which,

On motion of Mr. Eldridge,

Was adopted, and substitute read first time.

H. B. 1—Substitute—An act to restrain and license dance and hurdy gurdy houses,

Which had been reported back from committee, with substitute, was taken up, and,

On motion of Mr. McGilvra,

The report was adopted, and the substitute read first time.

H. J. R. No. 10—Relative to appropriation for building capitol and penitentiary, was taken up, and,

On motion of Mr. Van Bokkelen,

The rules were suspended and the resolution read a third time and passed.

Mr. Knapp, chairman of committee on Roads and Highways, having obtained the report of the Hon. Levi Farnsworth, submitted the same to the House, which is as follows:

To the Hon. John Denny and W. R. Downey:

GENTLEMEN—In conformity with the provisions of an act of the Legislature of Washington Territory of 1865–66, entitled "an act appropriating money to aid in the construction and repair of certain roads," in which the duty devolved upon me, as commissioner, to explore and report to you upon the practicability of the Snoqualmie and Natchez passes of the Cascade Mountains, I have the honor to report: That after an impartial examination of the two passes above named, and a careful estimate of the amount of labor or money required to place each in the condition contemplated by said act, I find the Natchez the most practicable of the two passes, and susceptible

of being converted into the best road with the amount of money appropriated by the above named act.

Respectfully submitted,

LEVI FARNSWORTH,
Commissioner.

Olympia, Aug. 20, 1866.

On motion of Mr. Van Bokkelen,

The report was ordered to be spread upon the journal.

H. B. No. 5—An act relating to the filling of vacancies in county offices.

On motion of Mr. Clymer,

The bill was laid upon the table.

The following message was received from the Council by their Clerk:

COUNCIL CHAMBER,
December 15, 1866.

MR. SPEAKER—

I am instructed by the Council to inform the House of the introduction in the Council of the following:

C. B. No. 13—An act to provide for the payment of assessors.

C. B. 14—An act in relation to evidence in civil actions.

C. B. No. 15—An act authorizing the appointment of court commissioners and defining their duties.

Also that the following have been correctly enrolled, and are herewith transmitted for the signature of the Speaker:

C. J. R. No. 1—Relative to reception the message of His Excellency, the Governor.

C. B. No. 3—An act to amend an act entitled, an act to incorporate the city of Walla-walla, passed January 11, 1862.

N. S. PORTER,
Chief Clerk.

On motion of Mr. Van Bokkelen,

The committee on Ways and Means were requested to procure all reports concerning the different passes.

Mr. Van Bokkelen, of Stevens, introduced

H. J. R. 11—Relative to map of the Territory.

Resolution read first time.

On motion of Mr. Ford,

The rules suspended and resolution read second time.

On motion of Mr. Rees,

The rules were further suspended and the resolution read third time and passed.

On motion of Mr. Robinson,

Mr. Morgan, of Jefferson, was granted leave of absence for one week.

Mr. Miles, of Lewis, gave notice that at an early day he would introduce a memorial to Congress praying for an appropriation of money for the improvement of the rivers of Washington Territory.

On motion of Mr. McGilvra,

House adjourned until Monday morning at 10 o'clock.

CHAS. EAGAN,
Chief Clerk.

HOUSE OF REPRESENTATIVES,
Monday, December 17, 1866.

House met pursuant to adjournment.

Mr. Speaker in the chair.

Roll called. Present—Messrs. Brazee, Clymer, Clarke, Eldridge, Ford, Hancock, Harmon, Heckert, Huntington, Knapp, Kelley, Longmire, McGilvra, O'Bryant, Pollock, Rees, Ruth, Robinson, Simmons, Temple, Van Bokkelen and Young.

Absent—Messrs. Barstow, Henry, Jesse, Jacobs, Morgan, Smith and Page.

Prayer by the Chaplain.

Journal of Saturday read and approved.

Mr. Brazee, from committee on Corporations, submitted a report relative to

H. B. 9—An act to amend an act entitled "an act to authorize Antoine Plant to establish a ferry on Spokane river."

Mr. Hancock, chairman of committee on Enrolled Bills, submitted the following report:

MR. SPEAKER—

Your committee on Enrolled Bills have examined, and find correctly enrolled the following:

H. J. R. No. 1—Relative to communication from the Governor.

H. J. R. No. 2—Relative to appointing an Enrolling clerk.

LEE HANCOCK,
Chairman.

Mr. Henry, chairman of committee on Federal Relations and Memorials, submitted a report relative to

H. J. M. No. 4—Praying for an appropriation for building a custom house at Port Townsend, for Collection District No. 103, Puget Sound.

H. J. M. No. 1—Relative to dry dock on Puget Sound.

Mr. Clymer, from Select committee, submitted a report relative to repeal of town charter of Seattle.

Mr. Simmons, chairman of Select committee, submitted a report relative to the expediency of revising the duties and powers of county officers.

Mr. Van Bokkelen, of Stevens, introduced

H. B. 18—An act to permanently locate and build the penitentiary of the Territory of Washington.

Bill read first time.

Mr. Brazee, of Clarke, introduced

H. B. 19—An act in relation to the construction of roads and highways in Washington Territory, and defining the duties of supervisors.

Bill read first time.

Mr. Rees, of Walla-walla, introduced

H. B. 20—An act requiring the registration of county script in Walla-walla county.

Bill read first time.

On motion of Mr. Van Bokkelen,

The rules were suspended and the bill read second time by title.

Mr. McGilvra moved that the vote by which House bill 20 passed to a second reading, be re-considered.

Motion carried.

Mr. Knapp, of Clark, introduced

H. B. 21—An act to authorize William Ranck, his heirs and assign to construct a fishery and build a road in Clarke county.

Bill read first time.

Mr. Knapp moved the rules be suspended and bill read second time now.

Motion lost.

Second reading of bills:

H. B. 17—An act relative to persons escaping from justice.

Bill read first time.

On motion of Mr. Van Bokkelen,

Bill referred to committee on Ways and Means.

H. B. No. 1—An act to amend an act to restrain and license dance houses in the counties of Kitsap, Jefferson and King," approved, Jan. 11, 1866.

Bill read first time.

Mr. Robinson moved to amend section two by striking out the words "either waiters or," and insert "as" before the word "professional."

Motion lost.

Also, in third section, strike out the words "three hundred," and insert the words "one hundred."

Motion lost.

Mr. Ruth moved to lay the bill on the table.

Motion carried.

H. J. M. 8—Praying that vessels of war be stationed on Puget Sound.

Memorial read second time by title, and

On motion of Mr. Robinson,

Memorial referred to committee on Federal Relations and Memorials.

H. J. M. 9—Praying for the right of way across the military reservation at Port Townsend.

Memorial read second time.

On motion of Mr. Heckert,

Memorial referred to committee on Federal Relations and Memorials.

H. B. 15—An act to amend an act entitled "an act to protect sheep and wool growers."

Bill read second time by title.

On motion of Mr. Van Bokkelen,

Bill referred to committee on Agriculture.

H. B. 16—An act to amend an act entitled "an act to amend an act to protect free white labor against Chinese coolie labor."

Bill read second time by title.

On motion of Mr. Robinson,

Bill referred to committee on Judiciary.

H. J. R. 3—Relative to distribution of muskets in Snohomish county.

Which had been reported back from committee on Military Affairs, was taken up, and

On motion of Mr. Eldridge,

The report of the committee was adopted, which is as follows:

MR. SPEAKER—

Your committee to whom was referred House Joint Resolution number 3, beg leave to report that they have had the same under consideration, and report the same back and recommend its passage with the following amendments, by striking out

in sixth line of original bill, the words "W. B. Sinclair, Snohomish city" and insert in lieu thereof the words "the county commissioners of Snohomish county."

J. J. H. VAN BOKKELEN,
Chairman.

H. J. R. No. 3—Relative to distribution of muskets in Snohomish county.

Was read third time, passed and title agreed to.

The report of the committee on Military Affairs was taken up.

MR. SPEAKER—

Your committee on Military Affairs to whom was referred

H. J. R. 4—Relative to the erection of fortifications on Puget Sound.

Have had the same under consideration, and beg leave to report the same back to the House and recommend its passage.

J. J. H. VAN BOKKELEN,
Chairman.

On motion of Mr. Simmons,

The report was adopted.

On motion of Mr. Clymer,

The rules were suspended and the resolution read third time and passed.

The following report of select committee was taken up:

MR. SPEAKER—

Your select committee to whom was referred a petition from citizens of Seattle, praying for the repeal of their town charter, beg leave to report the same back with accompanying bill.

C. CLYMER,
Chairman.

H. B. 22—An act to repeal an act entitled an act to incorporate the town of Seattle.

Bill read first time.

Mr. Brazee, from committee on Corporations, submitted the following report:

MR. SPEAKER—

Your committee on Corporations to whom was referred

H. B. 9—An act to amend an act to authorize Antoine Plant to establish a ferry on Spokane river,

Beg leave to report the same back and recommend its passage with the following amendment, in section first, eighth line:

Strike out the word "three," and insert in lieu thereof the word "two,"

J. W. BRAZEE,
Chairman.

On motion of Mr. Van Bokkelen,

The report was adopted.

Mr. Hancock, from committee on Enrolled Bills, submitted the following report:

MR. SPEAKER—

Your committee on Enrolled Bills have compared, and find correctly enrolled

H. J. R. No. 1—Relative to communication from the Governor.

H. J. R. No. 2—Relative to appointment of Enrolling clerk.

LEE HANCOCK,
Chairman.

On motion of Mr. Ruth,

The report was adopted.

Mr. Henry, from committee on Federal Relations and Memorials, submitted the following report:

MR. SPEAKER—

Your committee on Federal Relations and Memorial, to whom was referred

H. M. No. 1—Relative to dry dock on Puget Sound,

Have had the same under consideration, and return the same with a recommendation that it pass.

F. HENRY,
Chairman.

On motion of Mr. Knapp,

The report was adopted, and memorial read third time and passed.

Mr. Henry, from committee on Federal Relations and Memorials, submitted the following report:

MR. SPEAKER—

The committee of Federal Relations and Memorials, to whom was referred

H. J. M. No. 4—Praying for an appropriation for building a custom house at Port Townsend, for Collection District No. 103, Puget Sound.

Have had the same under consideration, and respectfully recommend its passage.

F. HENRY,
Chairman.

The report was adopted, and memorial read third time and passed.

The report of the select committee appointed to inquire into the expediency of revising the laws relating to the powers and duties of county officers, was taken up, and

On motion of Mr. Clymer,

Was laid upon the table.

C. B. No. 1—An act to amend an act entitled, an act relating to suits on foreign judgments, approved January 18, 1866.

Bill read first time.

C. B. No. 2—An act to regulate the holding of lead, copper and other mining claims.

Bill read first time.

C. B. No. 4—An act to provide for the execution and acknowledgment of deeds out of this Territory, was taken up.

Bill read first time.

C. B. No. 6—An act to fix the time of meeting of the Legislative Assembly of the Territory of Washington.

Bill read first time.

Mr. McGilvra asked leave of absence for Mr. Clarke of three days. Leave granted.

On motion of Mr. Longmire,

Mr. Smith was granted leave of absence for one week.

A communication was received from the Supreme Court, which,

On motion of Mr. Henry,

Was referred to committee on Judiciary, with instructions to report by bill.

The Speaker gave notice that he was about to sign

H. J, R. 2—Relative to Enrolling clerk.

C. J. R. 1—Relative to reception of Governor's message.

C. B. No. 3—An act to amend an act entitled, an act to incorporate the city of Walla-walla, passed January 11, 1862.

C. J. R. 3—Relative to the death of Sidney S. Ford.

Resolution read first time.

On motion of Mr. Longmire,

The rules suspended and resolution read second time.

On motion of Mr. Ruth,

The rules were further suspended and the resolution read third time and passed.

On motion of Mr. Henry,

The Clerk was instructed to forward a copy of the Resolution to the widow of the deceased.

On motion of Mr. Miles,

As a further token of respect,

House adjourned until to-morrow morning at 10 o'clock.

CHAS. EAGAN,
Chief Clerk.

HOUSE OF REPRESENTATIVES,
Tuesday, December 18, 1866.

House met pursuant to adjournment.

Mr. Speaker in the chair.

Roll called. Present—Messrs. Clymer, Eldridge, Ford, Hancock, Henry, Harmon, Heckert, Knapp, Kelley, Longmire, McGilvra, O'Bryant, Pollock, Rees, Ruth, Robinson, Temple and Van Bokkelen.

Absent—Messrs. Barstow, Brazee, Clarke, Huntington, Jesse, Jacobs, Morgan, Simmons, Smith Page and Young.

Prayer by the Chaplain.

Journal of yesterday read and approved.

Mr. Knapp, from committee on Roads and Highways, presented report.

Mr. Henry, from select committee, asked further time to report. Time granted.

Mr. Robinson, of Jefferson, introduced

H. M. No. 10—Praying for a tri-weekly service, on mail route 15,407.

Memorial read first time.

On motion of Mr. Clymer,

The rules were suspended and the memorial read second time.

On motion of Mr. Miles,

Was referred to committee on Federal Relations and Memorials.

Mr. Longmire, of Thurston, introduced

H. M. No. 11—Relative to the establishment of a mail route from Puget Sound to Walla-walla.

Memorial read first time.

On motion of Mr. Clymer,

Rules suspended and memorial read second time by title,

On motion of Mr. Kelley,

Memorial referred to committee on Federal Relations and Memorials.

Mr. Miles, of Lewis, introduced

H. B. 23—An act to amend an act entitled "an act to provide for the assessing and collecting of Territorial and county revenue," approved January 21, 1865.

Bill read first time.

On motion of Mr. Henry,

The rules were suspended and the bill read second time and referred to committee on Ways and Means.

Mr. McGilvra moved a committee be appointed to inquire into the proceedings of the Council relative to resolution of censure.

Motion carried.

The chair appointed Messrs. McGilvra, Simmons and Henry.

Mr. Eldridge moved a re-consideration of the vote.

Upon this motion the ayes and noes were demanded and resulted as follows:

Those who voted in the affirmative are—

Messrs. Clymer, Clarke, Eldridge, Heckert, Temple and Young—6.

Those who voted in the negative are—

Messrs. Brazee, Ford, Hancock, Henry, Harmon, Huntington, Knapp, Kelley, Longmire, McGilvra, O'Bryant, Pollock, Rees, Ruth, Robinson, Simmons, Van Bokkelen and Mr. Speaker—17.

Motion lost.

Mr. McGilvra submitted the following:

MR. SPEAKER—

Your committee appointed to examine the Journals of the Council in relation to a resolution of censure upon the Speaker of this House, beg leave to report that they have made such examination, and find on the Journals of that body the following:

"DECEMBER 15, 1866.

Mr. Ferguson introduced Council Resolution No. 4, which was read as follows:

Resolved, That the refusal of the Speaker of the House on yesterday to resume the chair while the House was sitting in committee of the whole, and to receive a message from the Council, was an act of discourtesy which ought not to be repeated. Resolution adopted."

JOHN J. McGILVRA,
Chairman.

Mr. Eldridge moved that the report be laid on the table.

Motion lost.

Report adopted.

H. B. 21—An act to authorize William Ranck, his heirs and assigns to construct a fishery and build a road in Clarke county.

Bill read second time by title.

On motion of Mr. Knapp,

Rules suspended and bill read third time, passed and title agreed to.

H. B. 22—An act to repeal an act entitled an act to incorporate the town of Seattle.

Bill read second time by title.

H. B. 20—An act requiring the registration of county script in Walla-walla county.

Bill read second time by title.

On motion of Mr. Rees,

Bill referred to committee on Judiciary.

H. B. 18—An act to permanently locate and build the penitentiary of the Territory of Washington.

Bill read second time by title.

On motion of Mr. Longmire,

Was referred to the delegations from Clarke and Pierce counties.

C. B. 6—An act to fix the time of meeting of the Legislative Assembly of the Territory of Washington.

Bill read second time by title.

Mr. Eldridge moved the bill be laid on the table, and made the special order of the day for January 7, 1867.

Motion carried.

C. B. No. 4—An act to provide for the execution and acknowledgments of deeds out of the Territory.

Bill read second time.

On motion of Mr. Clymer,

Bill referred to committee on Judiciary.

C. B. No. 2—An act to regulate the holding of lead, copper and other mining claims,

Bill read second time.

On motion of Mr. Rees,

Bill referred to committee on Mines and Mining Interests.

C. B. No. 1—An act to amend an act entitled, an act relating to suits on foreign judgments, approved January 18, 1866.

Bill read first and second time by title, and,

On motion of Mr. Ford,

Was referred to committee on Judiciary.

On motion of Mr. Simmons,

H. B. No. 5—An act relating to the filling of vacancies in county offices, was taken from the table, and

On motion of Mr. McGilvra,

Was referred to committee on Elections, with instructions to report by general bill.

On motion of Mr. Rees,

The rules were suspended in order to enable Mr. McGilvra to introduce the following, House Resolution No. 5, relative to the resolution of censure passed by the Council.

Mr. Eldridge moved the resolution be laid upon the table.

Upon this question the ayes and noes were demanded, with the following result:

Those voting in the affirmative are—

Messrs. Clymer, Clarke, Eldridge, Ford, Huntington, Temple and Young—7.

Those who voted in the negative are—

Messrs. Brazee, Hancock, Henry, Harmon, Heckert, Knapp, Kelley, Longmire, McGilvra, O'Bryant, Pollock, Rees, Ruth, Robinson, Simmons, Van Bokkelen and Mr. Speaker—17

Mr. Henry moved that the resolution be referred to committee on Judiciary, with instructions to recommend such action as they might deem proper.

Motion carried.

H. B. 9—An act to amend an act entitled "an act to authorize Antoine Plant to establish a ferry on Spokane river."

The rules were suspended and the bill read third time, passed and title agreed to.

Mr. Knapp, from committee on Roads and Highways, submitted the following report:

MR. SPEAKER—

Your committee on Roads and Highways to whom was referred

H. B. No. 8—An act to repeal an act to locate a Territorial road from Skaget Head to Deception Pass, in Island county.

Have had the same under consideration, and instructed me to report a substitute and recommend its passage.

H. M. KNAPP,
Chairman.

On motion, report adopted.

H. B. No. 8—Substitute—An act to revive an act to locate a Territorial road from Skaget Head to Deception Pass, in Island county.

Bill read first time.

C. B. No. 15—An act authorizing the appointment of court commissioners and defining their duties.

Bill read first time.

C. B. 14—An act in relation to evidence in civil actions.

Bill read first time.

C. B. 16—An act to change the name of Charles Anthony Fralestein to Charles Anthony White.

Bill read first time.

On motion of Mr. Robinson,

The rules were suspended and the bill read second time by title.

On motion of Mr. Van Bokkelen,

The rules were further suspended, and the bill read third time, passed and title agreed to.

The following message was received from the Council by their clerk:

COUNCIL CHAMBER,
December 17, 1866.

MR. SPEAKER—

I am instructed by the Council to inform the House of the passage by the Council of

C. B. No. 7—An act to amend an act entitled, "an act establishing a common school system for the Territory of Washington," approved Jan. 27, 1866.

C. B. No. 11—An act to amend an act entitled "an act to regulate fees and costs of certain officers in the counties of Kitsap, Jefferson and Stevens," approved January 23, 1866.

C. B. No. 12—An act to fix the time for holding the terms of the supreme and district courts of the Territory of Washington.

C. B. No. 9—An act to amend an act entitled, "an act to regulate marriages," passed, Jan. 20, 1866.

C. B. No. 10—An act to vacate certain streets and alleys in the town of Olympia.

C. B. No. 13—An act to provide for the payment of assessors.

C. B. No. 8—An act to amend an act entitled, "an act for the better observance of the Sabbath,"

H. J. M. No. 5—Relative to carrying of mails on route No. 15,417, between Walla-walla and Pinkney City.

H. M. No. 6—Praying Congress to increase the number of Indian agents in Washington Territory.

H. M. No. 2—Relative to the Mullan Road.

H. B. No. 10—An act to amend an act entitled "an act in relation to license in King county,"

H. J. R. 11—Relative to map of the Territory.

C. B. No. 14—An act relative to evidence in civil actions,

C. B. 15—An act authorizing the appointment of court commissioners, and defining their duties.

Also, of the introduction and passage of

C. B. 16—An act to change the name of Charles Anthony Fralestein to Charles Anthony White.

Also, the President of the Council has signed

C. J. M. No. 3—For the relief of J. Cosgrove, and the same is herewith transmitted.

N. S. PORTER,
Chief Clerk.

C. B. 8—An act to amend an act entitled "an act for the better observance of Sunday," approved January 20, 1866.

Bill read first time.

On motion of Mr. Eldridge,

The rules were suspended, and bill read second time.

On motion of Mr. Van Bokkelen,

Bill referred to committee on Judiciary.

C. B. 13—An act to provide for the pay of assessors,

Bill read first time.

C. B. No. 10—An act to vacate certain streets and alleys in Swan's addition to the town of Olympia,

Bill read first time.

On motion of Mr. Van Bokkelen,

The rules were suspended and the bill was read second time, and referred to delegation from Thurston.

Substitute for C. B. 9—An act amending an act entitled "an act to regulate marriages," approved January 20, 1866.

On motion of Mr. Van Bokkelen,

Bill ordered to be printed.

C. B. 7—An act entitled "an act to amend an act establish-

ing a common school system for the Territory of Washington," approved January 27, 1866.

Bill read first time.

On motion of Mr. Eldridge,

Rules suspended and bill read second time, and

Bill referred to committee on Education.

C. B. No. 12—An act to fix a time for holding the terms of the supreme and district courts of the Territory of Washington.

Bill read first time.

On motion of Mr. Van Bokkelen,

The rules were suspended, and the bill read second time.

Bill referred to committee on Judiciary.

C. B. No. 11—An act to amend an act entitled an act to regulate fees and costs of certain officers in the counties of Kitsap, Jefferson and Stevens,

Bill read first time.

On motion of Mr. Robinson,

The rules were suspended, and the bill read second time.

Bill referred to committee on Engrossed Bills, with instructions to report a general bill.

Under a suspension of the rules,

Mr. Eldridge, of Whatcom, introduced

H. J. M. 12—Relative to North Pacific railroad.

Memorial read first time.

On motion of Mr. Ruth,

The rules were suspended, and memorial read second time.

Memorial referred to committee on Federal Relations and Memorials, with instructions to be printed.

On motion of Mr. Simmons,

The House adjourned.

CHAS. EAGAN,
Chief Clerk.

HOUSE OF REPRESENTATIVES,
Wednesday, December 19, 1866.

House met pursuant to adjournment.

Mr. Speaker in the chair.

Present—Messrs. Brazee, Clymer, Clark, Eldridge, Ford, Hancock, Henry, Harmon, Heckert, Huntington, Knapp, Kelley, Longmire, McGilvra, O'Bryant, Pollock, Ruth, Robinson, Simmons, Temple, Van Bokkelen and Young.

Absent—Messrs. Barstow, Jesse, Jacobs, Morgan, Page, Rees and Smith.

Prayer by the Chaplain.

Journal of yesterday read and approved.

Mr. Henry, from committee on Federal Relations and Memorials, presented report relative to

H. J. M. No. 7—Praying an appropriation of $20,000 to build a military road from Port Angelos to Gray's Harbor.

H. J. M. No. 8—Praying that vessels of war be stationed on Puget Sound.

H. J. M. No. 9—Praying for the right of way across the military reservation at Port Townsend.

H. M. No. 10—Praying for a tri-weekly service, on mail route 15,407. Also, H. J. M. 12.

Mr. Simmons, from committee on Judiciary, presented report relative to

C. B. No. 1—An act to amend an act entitled, an act relating to suits on foreign judgments, approved January 18, 1866.

C. B. 8—An act to amend an act entitled an act for the better observance of the Sabbath.

Also, relative to the resolution of censure passed by the Council.

Mr. Longmire, from committee on Mines and Mining Interests, presented report relative to

C. B. No. 2—An act to regulate the holding of lead, copper and other mining claims.

Mr. Pollock, from committee on Agriculture, presented a report relative to

H. B. No. 6—An act relative to fences and fence viewers.

Mr. O'Bryant, from committee on Ways and Means, presented report relative to

H. B. 17—An act relative to persons escaping from justice.

H. B. No. 14—An act for the relief of Isaac L. Roberts.

H. B. 23—An act to amend an act entitled "an act to provide for the assessing and collecting of Territorial and county revenue," approved January 21, 1865.

Mr. Ruth, from select committee, presented report relative to

C. B. 10—An act to vacate certain streets and alleys in the town of Olympia.

Mr. Kelley, of Pierce, introduced

H. B. 24—An act for the payment of Levi Farnsworth, exploring commissioner.

Bill read first time.

Mr. Pollock, of Clarke, introduced

H. B. 25—An act to repeal an act to locate a road in Clarke county.

Bill read first time.

On motion of Mr. Knapp,

Rules suspended and memorial read second time by title,

On motion of Mr. McGilvra,

Rules further suspended and bill read third time, passed and title agreed to.

Mr. Knapp, of Clarke, introduced

H. B. 26—An act to incorporate Mill Plain Cemetery.

Bill read first time.

Mr. O'Bryant, of Walla-walla, introduced

H. B. 27—An act to authorize Patrick Farrel to build a bridge on Hangman's creek.

Bill read first time.

Mr. Eldridge, of Whatcom, introduced

H. B. 28—An act in relation to the verdict of juries.

Bill read first time.

Mr. Van Bokkelen, of Stevens, introduced

H. B. 29—An act authorizing W. A. Ball to construct a wagon road from Goose Island on Snake river to the Mullan road on the Spokane river, and to build bridges on the Palouse and Spokane rivers.

Bill read second time.

Mr. Harmon, of Island, introduced

H. M. 13—Relative to mail route between Port Townsend and Ebey's Landing.

Memorial read first time.

H. B. 8—An act to revive an act to locate a Territorial road from Skagit Head to Deception Pass, in Island county.

Bill read second time.

On motion of Mr. Eldridge,

The rules were suspended and the bill read a third time and passed and title agreed to.

H. B. 19—An act in relation to the construction of roads and highways in Washington Territory, and defining the duties of supervisors.

Bill read second time by title.

On motion of Mr. Eldridge,

Bill referred to committee on Roads and Highways.

C. B. 13—An act to provide for the payment of assessors.

Bill read second time by title.

On motion of Mr. Clymer,

Referred to committee on Engrossed Bills, with instructions to report by general bill.

C. B. No. 15—An act authorizing the appointment of court commissioners,

Bill read second time by title.

On motion of Mr. Ford,

Bill referred to committee on Judiciary.

H. B. 22—An act to repeal an act entitled an act to incorporate the town of Seattle.

Bill read third time, passed and title agreed to.

Mr. Ruth, of select committee, submitted the following report:

MR. SPEAKER—

Your select committee to whom was referred

C. B. 10—An act to vacate certain streets in Swan's addition to the town of Olympia,

Have had the same under consideration, and beg leave to report the same back to the House and recommend its passage.

B. F. RUTH,
Chairman.

On motion, the report was adopted.

On motion of Mr. Rees,

Bill read third time passed and title agreed to.

Mr. O'Bryant, from committee on Ways and Means, submitted the following report:

MR. SPEAKER—

Your committee on Ways and Means to whom was referred,

H. B. 17—An act relative to persons escaping from justice,

Have had the same under consideration, and return the same with a recommendation that it pass.

H. D. O'BRYANT,
Chairman.

The report was acopted.

H. B. 17—An act relative to persons escaping from justice.

Bill read second time by title.

On motion of Mr. Rees,

Rules suspended and bill read third time.

The question being upon the final passage of the bill,

Upon this motion the ayes and noes were demanded and resulted as follows:

Those who voted in the affirmative are—

Messrs. Clarke, Eldridge, Ford, Harmon, Heckert, Huntington, Robinson, Temple, Van Bokkelen and Young—10.

Those voting in the negative are—

Messrs. Brazee, Clymer, Hancock, Henry, Knapp, Kelley, Longmire, McGilvra, O'Bryant, Pollock, Ruth and Simmons—13.

The following message was received from the Council by their clerk:

COUNCIL CHAMBER,
December 19, 1866.

MR. SPEAKER—

I am instructed by the Council to inform the House of the introduction in the Council of

C. B. 17—An act in relation to attachments in civil actions.

Also, the passage of

H. J. M. No. 1—Relative to erection of dry dock on Puget Sound.

H. J. M. No. 4—Praying for an appropriation for building a custom house at Port Townsend, for Collection District No. 103, Puget Sound.

H. J. R. No. 3—Relative to distribution of muskets in Snohomish county.

N. S. PORTER,
Chief Clerk.

Mr. O'Bryant, from committee on Ways and Means, submitted the following report:

MR. SPEAKER—

Your committee on Ways and Means to whom was referred,

H. B. 23—An act to amend an act entitled "an act to provide for the assessing and collecting of Territorial and county revenue," approved January 21, 1865,

Have had the same under consideration, and beg leave to report the same back and recommend its passage.

H. D. O'BRYANT,
Chairman.

Report adopted.

Bill read third time, passed and title agreed to.

Mr. O'Bryant, from committee on Ways and Means, submitted the following report:

MR. SPEAKER—

The committee on Ways and Means to whom was referred

H. B. No. 14—An act for the relief of Isaac L. Roberts,

Report the same back, and ask that it be referred to the delegations from Walla-walla and Stevens counties.

H. D. O'BRYANT,
Chairman.

On motion, report adopted.

Bill referred to delegations from Walla-walla and Stevens counties.

H. B. No. 6—An act relative to fences and fence viewers, was taken up, and

On motion of Mr. Van Bokkelen,

The report on said bill was laid over, and substitute for said bill was ordered printed.

Mr. Longmire, from committee on Mines and Mining Interests, submitted the following report:

MR. SPEAKER—

The committee on Mines and Mining Interests to whom was referred

C. B. No. 2—An act to regulate the holding of lead, copper and other mining claims,

Have had the same under consideration, and respectfully recommend its passage.

JAMES LONGMIRE,
Chairman.

Bill read second time.

Mr. Henry, from committee on Federal Relations and Memorials, submitted the following report:

MR. SPEAKER—

Your committee on Federal Relations and Memorial, to whom was referred

H. J. M. 8—Praying that vessels of war be stationed on Puget Sound,

Have had the same under consideration, and instructed me to report the same back and recommend its passage.

F. HENRY,
Chairman.

On motion of Mr. Van Bokkelen,

Rules suspended, and the memorial read third time and passed.

Mr. Henry, from committee on Federal Relations and Memorials, submitted the following report:

MR. SPEAKER—

The committee of Federal Relations and Memorials, to whom was referred

H. J. M. 12—Relative to North Pacific railroad,

Have had the same under consideration, and return the same with a recommendation that it pass.

F. HENRY,
Chairman.

On motion of Mr. McGilvra,

The rules were suspended and the memorial read third time and passed.

Mr. Henry, from committee on Federal Relations and Memorials, submitted the following report:

MR. SPEAKER—

Your committee on Federal Relations and Memorials to whom was referred

H. M. No. 10—Praying for a tri-weekly service on mail route 15,407,

Have had the same under consideration, and ask leave to report the same back and recommend its passage.

F. HENRY,
Chairman.

On motion of Mr. Clarke,

Ordered to be printed.

Mr. Henry, chairman of committee on Federal relations and Memorials, submitted the following report:

MR. SPEAKER—

Your committee on Federal Relations and Memorials, to whom was referred

H. J. M. No. 7—Praying an appropriation of $20,000 to build a military road from Port Angelos to Gray's Harbor,

Have had the same under consideration, and respectfully recommend its passage.

F. HENRY,
Chairman.

On motion of Mr. Van Bokkelen,

The rules were suspended and the memorial read third time and passed.

Mr. Henry, from committee on Federal Relations and Memorials, submitted the following report:

MR. SPEAKER—

Your committee on Federal Relations and Memorials, to whom was referred

H. J. M. No. 9—Praying for the right of way across the military reservation at Port Townsend,

Have had the same under consideration and respectfully recommend its passage.

F. HENRY,
Chairman.

Memorial read third time and passed.

Mr. Simmons, of committee on Judiciary, submitted the following report:

MR. SPEAKER—

Your committee on Judiciary to whom was referred

C. B. No. 1—An act to amend an act entitled, an act relating to suits on foreign judgments, approved January 18, 1866.

Also,

C. B. 8—An act to amend an act entitled an act for the better observance of the Sabbath,

Have had the same under consideration, and instructed me to report the same back without amendment, and recommend their passage.

F. H. SIMMONS,
Chairman.

Bill read second time by title.

On motion of Mr. Knapp,

H. B. 1—Substitute—An act to restrain and license dance and hurdy gurdy houses,

Was taken from the table, and

On motion of Mr. Clymer,

The printed bills as amended were substituted for original bill.

On motion of Mr. Henry,

Rules suspended and bill read third time.

Upon the final passage, the ayes and noes were demanded, and resulted as follows:

Those who voted in the affirmative are—

Messrs. Brazee, Clymer, Clarke, Eldridge, Ford, Hancock, Henry, Harmon, Huntington, Knapp, Kelley, Longmire, McGilvra, O'Bryant, Pollock, Ruth, Robinson, Simmons, Temple, Van Bokkelen, Young and Mr. Speaker—22.

Those who voted in the negative are—

Mr. Hecker—1.

Bill passed and title agreed to.

The following message was received from the Council by their Clerk:

COUNCIL CHAMBER,
December 19, 1866.

MR. SPEAKER—

I am instructed by the Council to inform the House of the introduction and passage by the Council of the following:

C. J. M. 1—Remonstrating against removing the Head Quarters of the Military Department from Vancouver to Portland.

C. J. R. 4—Relative to adjournment over the holidays.

N. S. PORTER,
Chief Clerk.

On motion of Mr. Henry,

House adjourned until to-morrow morning at 10 o'clock.

CHAS. EAGAN,
Chief Clerk.

HOUSE OF REPRESENTATIVES,
Thursday, December 20, 1866.

House met pursuant to adjournment.

Mr. Speaker in the chair.

Roll called. Present—Messrs. Brazee, Clymer, Clark, Ford, Hancock, Henry, Harmon, Heckert, Huntington, Knapp, Kelley, Longmire, O'Bryant, Pollock, Rees, Ruth, Robinson, Simmons, Temple, Van Bokkelen, Young and McGilvra.

Absent—Messrs. Barstow, Eldridge, Jesse, Jacobs, Morgan, Page and Smith.

Prayer by the Chaplain.

Journal of yesterday read and approved.

Mr. Henry moved that when the House adjourn, it adjourn at 11½ o'clock.

Motion carried.

On motion of Mr. Ruth,

Messrs. Temple and Hancock were granted leave of absence for two days.

Mr. Knapp, from committee on Roads and Highways, presented report relative to H. R. No. 19.

Mr. Rees, from committee on Elections, presented report relative to

H. B. No. 5—An act in relation to the filling of vacancies in county offices.

Mr. Eldridge moved a suspension of rules, in order to take in consideration the message of the Governor.

Motion lost.

Mr. Hancock, from committee on Enrolled Bills, submitted the following:

MR. SPEAKER:

Your committee on Enrolled Bills have examined, and find correctly enrolled the following:

H. J. R. 11—Relative to map of the Territory.

H. B. No. 10—An act to amend an act entitled "an act in relation to license in King county,"

H. M. No. 5—Relative to carrying of mail on route No. 15,417, between Walla-walla and Pinkney city.

H. M. No. 6—Praying Congress to increase the number of Indian agents in Washington Territory.

H. M. No. 2—Relative to the Mullan Road.

LEE HANCOCK,
Chairman.

On motion of Mr. Knapp,

Report adopted.

Mr. Clymer, of King, introduced

H. B. 30—An act to provide for the election of county commissioners and defining their duties.

Bill read first time.

H. B. 24—An act for the payment of Levi Farnsworth, exploring commissioner.

Bill read second time by title,

On motion of Mr. Van Bokkelen,

Bill referred to committee on Ways, Means and Claims.

H. B. 26—An act to incorporate Mill Plain Cemetery.

Bill read second time.

On motion of Mr. Ford,

The rules were suspended and the bill read a third time and passed and title agreed to.

H. B. 28—An act in relation to the verdict of juries.

Bill read second time by title.

On motion of Mr. Eldridge,

Bill referred to committee on Judiciary.

Substitute for C. B. No. 9,

Bill read second time and amended.

Mr. Knapp moved to refer to committee on Commerce.

Motion lost.

Mr. Eldridge moved to refer to committee on Education.

Motion lost.

Mr. Van Bokkelin moved to refer to committee on Agriculture.

Motion lost.

Mr. Knapp moved to refer to committee on Mines and Mining Interests.

Motion lost.

Mr. Longmire moved to refer to committee on Judiciary.

Motion carried.

H. B. 29—An act authorizing W. A. Ball, to construct a wagon road from Goose Island on Snake river, to the Mullan road on the Spokane river, and to build bridges on the Spokane and Palouse rivers.

Bill read second time and amended.

On motion of Mr. Eldridge,

Bill referred to committee on Roads and Highways.

C. B. No. 14—An act relative to evidence in civil actions.

Read second time.

On motion of Mr. Clymer,

Bill referred to committee on Judiciary.

C. B. No. 8—An act to amend an act entitled, "an act for the better observance of the Sabbath,"

Bill read third time, passed and title agreed to.

C. B. 1—An act to amend an act entitled "an act relating to suits on foreign judgments," approved January 18, 1866.

The rules were further suspended, and the bill read third time, passed and title agreed to.

C. B. No. 2—An act to regulate the holding of lead, copper and other mining claims.

Bill read third time, passed and title agreed to.

Mr. Henry in the chair.

On motion of Mr. Ford,

Rules suspended to take up

C. J. R. 4—Relative to the adjournment over the holidays.

Resolution read first time.

On motion of Mr. Ruth,

The rules suspended and resolution read second time and amended.

On motion of Mr. Longmire,

The rules were further suspended and the resolution read third time and passed.

Mr. Eldridge moved the clerk be instructed to inform the Council of the passage of the resolution.

Motion carried.

On motion, the House adjourned.

CHAS. EAGAN,
Chief Clerk.

HOUSE OF REPRESENTATIVES,
Friday, December 21, 1866.

House met pursuant to adjournment.

Mr. Speaker in the chair.

Roll called. Present—Messrs. Brazee, Henry, Harmon, Heckert, Huntington, Knapp, Kelley, Longmire, O'Bryant, Pollock, Rees, Ruth, Robinson, Simmons, Van Bokkelen and Young.

Absent—Messrs. Clymer, Clarke, Eldridge, Ford, Hancock, Jesse, Jacobs, Morgan, Page, Smith and Temple.

Prayer by the Chaplain.

Journal of yesterday read and approved.

The Speaker gave notice that he was about to sign

C. J. M. 5—Relative to carrying of mail on route No. 15,417, between Walla-walla and Pinkney City.

H. M. No. 6—Praying Congress to increase the number of Indian Agents.

H. B. No. 10—An act to amend an act entitled "an act in relation to license in King county."

H. J. R. 11—Relative to map of the Territory.

Mr. Knapp, from committee on Roads and Highways, presented report relative to

H. B. 29—An act authorizing W. A. Ball to construct a wagon road from Goose Island on Snake river to the Mullan road on the Spokane river, and to build bridges on the Palouse and Spokane rivers.

Mr. Henry, from committee on Federal Relations and Memorials, presented report relative to

H. M. 11—Relative to mail route from Puget Sound to Walla-walla.

Mr. Knapp, of Clark, introduced

H. B. 31—An act in relation to public amusements.

Bill read first time.

On motion of Mr. Eldridge,

The rules were suspended, and the bill read second time.

On motion of Mr. Van Bokkelen,

Bill referred to committee on Corporations, with instructions to print.

The following message was received from the Council by their clerk:

COUNCIL CHAMBER,
December 21, 1866.

MR. SPEAKER—

I am instructed by the Council to inform the House of the ietroduction in the Council of the following:

C. B. 18—An act to amend an act to regulate the practice and proceedings in civil actions in the District Courts.

C. B. 19—An act to amend an act entitled "an act to provide for the assessing and collecting of Territorial and county revenue," passed January 29, 1864.

C. B. 20—An act in relation to landlord and tenant.

C. B. 21—An act to amend an act entitled "an act to provide for the formation of corporations for certain purposes."

Also, the passage of .

H. J. R. 4—Relative to the erection of fortifications on Puget Sound.

H. J. R. 10—Relative to appropriation for building capitol and penitentiary.

N. S. PORTER,
Chief Clerk.

Second reading of bills:

H. J. M, 10—Praying for semi-weekly mail service from Olympia to Port Townsend,

Memorial read second time.

On motion of Mr. Van Bokkelen,

The rules were suspended, and memorial read third time and passed.

H. B, 27—An act to authorize Patrick Farrel to build a bridge on Hangman's creek.

Bill read second time.

On motion of Mr. Van Bokkelen,

The rules were suspended and the bill read third time, passed and title agreed to.

H. M. 13—Relative to mail route between Port Townsend and Ebey's Landing.

Memorial read second time.

On motion of Mr. Simmons,

The rules were suspended, and memorial read third time and passed.

H. B. No. 6—An act relative to fences and fence viewers,

Was taken from the table, together with the report of the committee, report adopted, and the substitute for said bill read first time.

On motion of Mr. Simmons,

H. B. 19—An act in relation to the construction of roads and highways in Washington Territory, and defining the duties of supervisors, was taken from the table.

On motion of Mr. Eldridge,

The bill was again laid on the table.

Mr. Huntington moved the Governor's message be taken up.

Motion lost.

H. M. No. 11—Relative to the establishment of a mail route from Puget Sound to Walla-walla, with report, was taken up, and,

On motion of Mr. Longmire,

Report adopted, and

Memorial read second time.

Mr. McGilvra moved a reconsideration of the vote by which the report was adopted.

Upon this motion, the ayes and noes were demanded, and resulted as follows:

Those who voted in the affirmative are—

Messrs. Clymer, Clarke, Eldridge, Ford, Harmon, Huntington, McGilvra, Robinson, Van Bokkelen, Young and Mr. Speaker—11.

Those who voted in the negative are—

Messrs. Brazee, Heckert, Knapp, Kelley, Longmire, O'Bryant, Pollock, Rees, Ruth and Simmons—10.

Mr. Knapp in the chair.

Mr. Clymer moved to lay the report of the committee on the table and take up the memorial.

Motion carried.

Mr. Longmire moved the memorial be laid on the table and made special business of January 8, 1867.

Motion lost.

Mr. Clymer moved that Mr. Longmire's motion be laid upon the table.

Motion carried.

On motion of Mr. Eldridge,

Memorial read third time and passed.

Under a suspension of the rules,

Mr. Eldridge, of Whatcom, introduced

H. B. 32—An act for the relief of James Huntington and W. W. Hays, who have the keeping of the insane and idiotic persons of Washington Territory,

Bill read first time.

On motion of Mr. Clymer,

The rules were suspended, and bill read second time.

On motion of Mr. Eldridge,

Bill referred to committee on Judiciary.

Under a suspension of the rules,

Mr. Clymer, of King, introduced

H. B. 33—An act to regulate the rate of interest on money, and to prevent and punish usury,

Bill read first time.

H. B. 29—An act authorizing W. A. Ball, to construct a wagon road from Goose Island on Snake river, to the Mullan road on the Spokane river, and to build bridges on the Spokane and Palouse rivers, with report of committee was taken up,

Bill read second time by title.

Mr. Van Bokkelen moved the rules be suspended and the bill read a third time now.

Upon this question the ayes and noes were demanded, with the following result:

Those who voted in the affirmative are—

Messrs. Brazee, Clymer, Eldridge, Ford, Harmon, Heckert, Knapp, Longmire, O'Bryant, Pollock, Rees, Ruth, Robinson, Van Bokkelen and Mr. Speaker—15.

Those who voted in the negative are—

Messrs. Clarke, Huntington, McGilvra, Simmons, and Young—5.

Bill read third time, passed and title agreed to.

The following message was received from the Council by their Clerk:

COUNCIL CHAMBER,
December 21, 1866.

MR. SPEAKER—

I am instructed by the Council to inform the House of the passage by the Council of the following:

H. B. 23—An act to amend an act entitled "an act to amend an act entitled an act to provide for the assessing and

collecting of Territorial and county revenue," so far as relates to Lewis county."

N. S. PORTER,
Chief Clerk.

H. R. 5—With report of committee, was taken up.

On motion of Mr. Eldridge,

The report was laid upon the table and made the special order for to-morrow, with instructions to print.

C. J. M. 1—Remonstrating against removing the Head Quarters of the Military Department from Vancouver to Portland.

Memorial read first time.

On motion of Mr. Clymer,

Rules suspended and memorial read second time.

On motion of Mr. Eldridge,

Memorial referred to committee on Federal Relations and Memorials, with instructions to be printed.

Mr. Speaker in the chair.

On motion of Mr. Eldridge,

House adjourned until to-morrow morning at 10 o'clock.

CHAS. EAGAN,
Chief Clerk.

HOUSE OF REPRESENTATIVES,
Saturday, December 22, 1866.

House met pursuant to adjournment.

The Speaker being absent, the House was called to order by the Chief Clerk; when,

On motion of Mr. Knapp,

Mr. Henry was called to the chair.

Roll called. Present, Messrs. Brazee, Clymer, Clarke, Ford, Heckert, Huntington, Knapp, Kelley, Longmire, McGilvra, O'Bryant, Pollock, Rees, Ruth, Robinson, Simmons, Van Bokkelen and Young.

Absent—Messrs. Barstow, Eldridge, Hancock, Harmon, Jesse, Jacobs, Morgan, Page, Smith, Temple and Mr. Speaker.

Prayer by the Chaplain.

Journal of yesterday read and approved.

Leave being granted,

Mr. Reese, of Walla-walla, introduced the following resolution:

WHEREAS, A a sudden and distressing bereavement having befallen Hon. Henry Miles, Speaker of this House, in the death of his only son, who was killed on the morning of the 20th inst, by a falling tree, therefore, be it

Resolved, That we hereby tender Mr. Miles our heartfelt sympathy in this, his sad bereavement, and that in token thereof, we do now adjourn.

Resolution read first time.

On motion,

The rules were suspended and the resolution adopted.

CHAS. EAGAN,
Chief Clerk.

HOUSE OF REPRESENTATIVES,
Friday, January 4, 1867.

House met pursuant to adjournment.

Mr. Speaker in the chair.

Roll called. Present—Messrs. Brazee, Clymer, Eldridge, Ford, Hancock, Henry, Heekert, Huntington, Jesse, Knapp, Longmire, McGilvra, O'Bryant, Pollock, Page, Rees, Ruth, Simmons, Temple and Young.

Absent—Messrs. Barstow, Harmon, Jacobs, Kelley, Morgan, Robinson, Smith and Van Bokkelen.

Prayer by the Chaplain.

On motion of Mr. Henry,

The reading of the Journal was dispensed with.

Messrs. Page and Jesse were invited within the bar, and the oath of office administered to them by Mr. Eldridge, Notary Public.

Mr. Simmons reported substitute for H. B. 32, and H. B. 20.

The Speaker announced the reception of the annual reports of the Territorial Auditor and Treasurer, which are as follows:

OFFICE OF THE TERRITORIAL AUDITOR,
Olympia, Dec. 31, 1866.

To the Honorable Legislative Assembly of the Territory of Washington:

In compliance with the requirements of law, I have the honor to submit the following statement of the finances of the Territory at the present time:

RECEIPTS AND DISBURSEMENTS.

The amount received into the Territorial treasury during the year, as shown by account of the Treasurer, is,	$13,511 85
Balance remaining in the treasury, Dec. 31, 1865,	1302 93
Disbursements during the same time have been,	13,262 38
Showing a balance in the treasury of	1552 40

TERRITORIAL TREASURER, DR.

To amount Territorial tax received, 1866, from the treasurers of the following counties:	
Chehalis county,	$ 501 79
Cowlitz county,	677 49
Island county,	234 82
Jefferson county,	250 00
Kitsap county,	1424 18
Lewis county,	884 23
Mason county,	124 00
Pierce county,	316 90
Skamania county,	1300 17
Amount carried forward,	$ 5713 58

Amount brought forward,	$ 5713 58
Snohomish county,	100 00
Stevens county,	1994 32
Thurston county,	1870 63
Walla-walla county,	3533 32
Whatcom county,	300 00
	$13,511 85

TERRITORIAL TREASURER, Cr.

By the following amounts disbursed by him, to wit:

Paid Territorial warrant No. 12, of 1862,		$ 60 00
Freight on Library books,		31 42
Salary of James K. Kennedy, prosecuting attorney for third judicial district, for fourth quarter of 1865,		200 00
Paid rent of office for December, 1865,		10 00
Paid for stationery,		10 00
Paid R. Lane, as per act of the Legislature,		200 00
Paid the following Territorial warrants, viz:		
Warrant No. 18, of 1863,		100 00
" 19, "		136 00
" 20, "		100 00
" 23, "		100 60
" 13, 1864,		236 86
" 12, "		142 28
" 17, "		160 00
" 17, "		40 00
" 35, 1865,		166 67
" 43, "		232 00
" 44, "		161 00
" 49, 1866,		30 00
Paid H. G. Struve, prosecuting attorney, fees on account of Pacific county, $25; Cowlitz county, $25,		50 00
Paid balance due on warrant No. 23, of 1863,		65 40
Warrant No. 19, 1862,		40 00
Warrant No. 17, 1863,		27 50
Paid Gov. Pickering the amount due the Sisters of Charity,		1093 70
John M. Murphy for sundry printing,		70 00
For stamps,		5 00
Paid warrant No. 50, of 1866,		180 00
Salaries of prosecuting attorneys to 30th March, 1866:		
H. G. Struve,	$200 00	
J. K. Kennedy,	200 00	400 00
Amount carried forward,		$4047 83

Amount brought forward,	$ 4047 83
J. M. Murphy, salary, rent and amount of bill,	367 03
Warrant No. 41, of 1865,	200 00
" 42, "	533 32
S. B. Fargo, salary as prosecuting attorney for second quarter of 1866,	200 00
J. M. Murphy, salary and rent,	150 00
Express charges,	17 85
J. M. Murphy, for printing circulars,	15 00
H. G. Struve, salary as prosecuting attorney to June 30th, 1866,	200 00
Gov. Pickering, on account of Sisters of Charity,	1100 00
Express charges,	6 00
Gov. Pickering for sundry printing,	65 00
J. M. Murphy, salary and rent,	150 00
J. M. Murphy, for sundry printing for Supreme Court,	35 00
Gov. Pickering, for expenses connected with Lunatic Asylum,	133 00
H. G. Struve, salary as prosecuting attorney, to Sept. 30, 1866,	200 00
H. G. Struve, fees in Supreme Court,	100 00
Capt. Finch, for transportation of money,	2 50
Gov. Pickering, on account of expenses incurred for the Lunatic Asylum,	110 10
Gov. Pickering, on account of Sisters of Charity,	1000 00
J. K. Kennedy, salary as prosecuting attorney to Sept. 30, 1866,	200 00
Warrant No. 10, to W. G. Langford, being salary as prosecuting attorney to July, 1863,	100 00
Warrant No. 103, of 1861,	9 00
Gov. Pickering, on account of sisters of Charity,	1300 00
J. H. Munson, for fees and charges on Library books,	49 10
Express charges,	38 50
For Stationery,	28 00
Gov. Pickering, in full, on account of Sisters of Charity,	280 00
Warrant No. 61, of 1866, being cost bill from Walla-walla,	324 00
Warrant No. 26, of 1863,	25 62
The following Tucker warrants, bearing 15 pr. cent. interest, viz:	
Warrant No. 132, of 1861	50 00
" 143, "	100 00
" 139. "	100 00
Fifteen per cent. interest on $250,	187 50
Huntington and Hays, on account of Lunatic Asylum,	110 00
Warrant No. 11, of 1863,	46 50
" 5, '64,	300 00
" 6, '63,	100 00
" 62, '65,	194 15
" 60, '66,	53 00
Amount carried forward,	$12,228 00

Amount brought forward,	$12,228 00
Amount Gov. direct tax paid J. Cushman, as per receipt,	12 50
Warrant No. 54, of 1866,	35 00
" " 5, "C," of 1864,	80 00
Paid J. M. Murphy in full for salary and rent up to 31st Dec. 1866,	180 00
W. G. Langford, salary as prosecuting attorney,	100 00
Rent of office for Territorial Treasurer, one year,	60 00
Paid 2 per cent. on $13,511 85, amount received,	270 24
" " 12,695 50, amount disbursed,	253 91
" " 2136 90, cost bills credited to counties,	42 73
By balance on hand,	1552 40
	$14,814 78

1866.	COWLITZ COUNTY,	Dr.
Jan. 1.	To balance Territorial tax due from 1865,	$ 365 77
May 12.	To amount assessed for 1866,	547 60
Dec. 31.	Amount paid fee prosecuting attorney,	25 00
		$938 37

1866.	COWLITZ COUNTY,	Cr.
Feb. 9.	By amount received from county treasurer,	$ 244 75
" "	By delinquent tax for 1865,	20 00
Dec. 22.	By cash received from county treasurer,	322 71
" "	By amount paid order of Territorial treasurer by county treasurer,	110 00
Dec. 31.	Balance due at this date to balance account,	240 91
		$913 37

CLICKITAT COUNTY,	Dr.
No returns for the year 1866.	
Due the Territory, Dec. 31, 1865,	$ 512 11

1865.	CHEHALIS COUNTY,	Dr.
Jan. 1.	To amount assessed for 1864, of which no return has been made to the Territorial Auditor, less the sum of $35 34	
July 30.	To amount assessed for the year 1865,	$ 401 07
1866.		
May 15.	To amount Territorial tax assessed for 1866,	298 52
		$699 59

1866.	CHEHALIS COUNTY,	Cr.
April 18.	By cash received from county treasurer,	$325 19
Dec. 3.	By cash received from county treasurer	176 60

1866.	CLARKE COUNTY,	Dr.
Jan. 1.	To balance due the Territory,	$4447 36
Nov. 1.	To amount Territorial tax assessed for 1866,	2319 21
		$6,766 57

No credits for 1866.

1866.	CLALM COUNTY,	Dr.
Jan. 1.	To balance due Territory from 1865,	45 65
Dec. 23.	Amount Territorial tax assessed for 1866,	351 62
		$377 27

No credits for 1866.

1866.	ISLAND COUNTY,	Dr.
Jan. 1.	To balance Territorial tax due from 1865,	$ 679 69
Nov. 1.	To assessment for 1866,	737 68
		$1417 37

1866.	ISLAND COUNTY,	Cr.
Jan. 8.	By amount received from county treasurer,.....	$ 234 82
Dec. 23.	By delinquent tax for 1863 and 1864,.....	50 44
Dec. 31.	Amount due at this date to balance account,.....	1132 11
		$1417 37

1866.	JEFFERSON COUNTY,	Dr.
Jan. 1.	To balance Territorial tax due as per last year's account,..	$ 252 78
July 24.	To amount assessed for the year 1866,.....	844 50
		$ 1097 28

1866.	JEFFERSON COUNTY,	Cr.
Nov. 24.	By cash received from county treasurer,.....	$ 250 00
Dec. 31.	Amount due this date to balance account,.....	847 28
		$1097 28

1866.	LEWIS COUNTY,	Dr.
Jan. 1.	To balance Territorial tax as per last year's account,....	$ 921 81
Dec. 23.	To amount assessed for the year 1866,.....	798 49
		$1720 30

1866.	LEWIS COUNTY,	Cr.
Jan. 11.	By amount received from county treasurer,.....	$ 600 00
May 31.	By amount received from county treasurer,.....	284 23
" "	By amount delinquent tax for 1865,.....	39 58
Dec. 31.	By amount due this date to balance account,.....	796 49
		$1720 30

1866.	KING COUNTY,	Dr.
Jan. 1.	To balance Territorial tax as per last year's account,	$ 379 55
Nov. 15.	To amount Territorial tax assessed for 1866,	1,400 56
		$1780 11

1866.	KING COUNTY,	Cr.
Dec. 23.	By amount delinquent tax for 1864,	$ 68 38
" "	By cost bills in cases of Territory v. McKay and Powell,	1054 00
Dec. 31.	Amount due this date to balance account,	657 73
		$1780 11

1865.	KITSAP COUNTY,	Dr.
Jan. 1.	To balance Territorial tax due at this date,	$ 517 64
	No assessment returned for 1865.	
1866.		
Nov. 7.	To amount assessed for the year 1866,	1492 90

1865.	KITSAP COUNTY,	Cr.
Oct. 10.	By amount received from county treasurer,	$ 600 00
Dec. 9.	By amount received from county treasurer,	1265 00
Dec. 31.	By amount U. S. direct tax due, carried to delinquent account,	38 88
Dec. 8, 1866.	By amount received from county treasurer,	1424 18

1866.	MASON COUNTY,	Dr.
Jan. 1.	To amount Territorial tax due as per account,	$ 356 90
Dec. 33.	Amount assessed for 1866,	200 50
		$557 40

1865.	MASON COUNTY,	Cr.
Jan. 1.	By amount received from county treasurer,	$66 00
Jan. 12.	By amount received from county treasurer,	39 00
Dec. 23.	By delinquent tax for current year,	46 65
Dec. 23.	By amount received from county treasurer,	60 00
" "	By amount received from county treasurer,	25 00
Dec. 31.	Amount due this date to balance account,	320 75
		$557 40

1866.	SKAMANIA COUNTY,	Dr.
Jan. 1.	To balance due as per last year's accounts,	$915 40
Nov. 6.	To amount assessed for year 1866,	717 70
Dec. 24.	To amount delinquent tax for 1864 collected,	10 97
" "	Additional amount assessment 1866,	14 52
		$1658 59

1866.	SKAMANIA COUNTY,	Cr.
Dec. 4.	By amount Territorial tax received from county treasurer,	$1300 17
Dec. 31.	By amount overcharged,	174 33
" "	By amount delinquent tax for '65 and '66,	123 93
Dec. 31.	Amount due this date to balance account,	60 16
		$1658 59

1866.	PACIFIC COUNTY,	Dr.
Jan. 1.	To amount Territorial tax due from 1865,	$ 101 88
July 24.	To amount assessed for year 1866,	428 64
Dec. 31.	Amount paid fee prosecuting attorney,	25 00
		$555 52

1866.	PACIFIC COUNTY,	Cr.
Jan. 31.	Amount of delinquent Territorial tax for 1865,	$ 12 28
Dec. 31.	Amount due at this date to balance account,	543 24
		$555 52

1865.	PIERCE COUNTY,	Dr.
Jan. 1.	To balance of Territorial tax as per last year's accounts,..	$1131 96
Nov. 5.	To amount assessed for the year 1866,.....	1668 16
		$2,800 12

1866.	PIERCE COUNTY,	Cr.
Jan. 8.	By amount received from county treasurer,.....	$ 600 00
Dec. 4.	By cash received from county treasurer, ...	316 90
" "	By cost bill,.....	383 10
Dec. 8.	By cost bills in suits of Territory v. Rowe and Wallace,..	308 90
" "	By cost bill in suit of Territory v. Fiander,.....	66 70
Dec. 31.	Amount due at this date to balance account,.....	1124 42
		$2800 02

1866.	SNOHOMISH COUNTY,	Dr.
Jan. 1.	To amount of Territorial tax due as per last year's accounts, ...	$224 26
Nov. 11.	To amount assessed for year 1866,.....	191 77
		$416 03

1866.	SNOHOMISH COUNTY.	Cr.
Dec. 15.	By amount received from county treasurer,.....	$ 100 00
" "	By amount Gov. direct tax written off,.....	20 84
" "	Amount due at this date to balance account,.....	295 19
		$416 03

1866.	STEVENS COUNTY,	Dr.
Jan. 1.	To amount Territorial tax due from year 1864,.....	$3196 31
	No assessment returned for 1865.	
July 29.	To amount assessed for year 1866,.....	766 05
Dec. 29.	To amount over credited per contra,.....	26 80

1866.	STEVENS COUNTY.	Cr.
Jan. 8.	By amount received from county treasurer,	$1000 00
Jan. 25.	By amount received from county treasurer,	1021 12
Dec. 20.	By amount Gov. direct tax written off,	255 91
" "	By 73 Chinese police tax receipts,	219 00

1866.	THURSTON COUNTY,	Dr.
Jan. 1.	To balance Territorial tax, as per last year's accounts,	$ 998 46
July 24.	To amount assessed for year 1866,	2048 20
		$3046 66

1866.	THURSTON COUNTY,	Cr.
June 28.	By amount received from county treasurer,	$ 268 60
" "	By delinquent tax for 1863–4,	31 68
Dec. 22.	By amount received from county treasurer,	1635 70
Dec. 31.	Amount due at this date to balance account,	1110 68
		$3046 66

1866.	WALLA-WALLA COUNTY,	Dr.
Jan. 1.	To amount Territorial tax due as per last year's accounts,	$ 4281 37
Nov. 7.	To amount Territorial tax assessed for year 1866,	5726 00
		$10,007 37

1866.	WALLA-WALLA COUNTY,	Cr.
Dec. 15.	By Chinese police tax receipts received from county treasurer,	$ 204 00
" "	By delinquent tax for the year 1864,	315 39
" "	By delinquent tax 1865,	486 04
" "	By amount received from county treasurer,	2000 00
Jan. 28.	By amount received from county treasurer,	733 32
Aug. 13.	By amount received from county treasurer,	800 00
" "	By cost bill,	324 00
Dec. 31.	Amount due this date to balance account,	5144 62
		$10,007 37

1866.	WAHKIAKUM COUNTY,	Dr.
July 31.	To amount assessed for year 1866,.....	$ 28 96
	No credits for 1866.	

1866.	WHATCOM COUNTY,	Dr.
Jan. 1.	To amount Territorial tax due as per last year's accounts,.	$1049 52
July 25.	To amount Territorial tax assessed for 1866,.....	231 98
		$1281 50

1866.	WHATCOM COUNTY,	Cr.
Jan. 25.	By amount received from county treasurer,.....	$ 300 00
Dec. 31.	Amount due this date to balance account,.....	981 50
		$1281 50

The Territorial Auditor in the last annual report stated that no returns of assessment for the year 1864 had been received from the counties of Chehalis, Klikitat, Island, Snohomish and Stevens, and for the year 1865 from Clalm, Kitsap and Stevens. This deficiency is still unsupplied, and consequently it is impossible to arrive at a full statement of the Territorial finances. It is therefore respectfully urged that the assessments for the years named from the several counties delinquent, will be furnished at as early a date as possible.

LIST OF WARRANTS ISSUED.

The following is a list of Warrants issued by the Territorial Auditor upon the Treasurer during the present year:

1866.		
Jan. 26.	No. 29, to Chas. A. White, for special services as Enrolling Clerk of Legislative Assembly, session 1865–66, six days,	$ 30 00
" 24.	No. 50, to L. P. Foster, for services as Enrolling Clerk of Legislative Assembly, session 1865–66,	180 00
" 25.	No. 51, to William Pickering, for printing for executive office,	92 00
" 25.	No. 52, to John M. Murphy, for printing proclamations of Governor, 1865,	27 00
Feb. 26.	No. 53, to Wm. M. Martin, for keeping Territorial convicts, as per report on file,	46 55
May 27.	No. 54, to R. H. Hewitt, for advertising session Supreme Court,	35 00
Mar. 27.	No. 55, to J. M. Murphy, for advertising session Supreme Court,	35 00
Apl. 7.	No. 56, to S. B. Fargo, quarter's salary as Prosecuting Attorney, 1st judicial district, ending Dec. 31, 1865,	200 00
May 7.	No. 57, to A. Seitel, sheriff of Walla Walla county, for clothing, medicines, and jailor's fees for keeping Territorial convicts from May 1st, 1865, to Dec. 31, 1865, as per semi-annual report on file,	449 75
Aug. 7.	No. 58. to S. B. Fargo, salary as Prosecuting Attorney 1st judicial district, ending March 31st, 1866,	200 00
July 24.	No. 60, to William Martin, jailor at Walla Walla, for balance due on keeping Territorial convicts as per supplemental report on file,	53 00
	Amount carried forward,	$ 1348 30

Amount brought forward,.....		$ 1348 30
Aug. 6.	No. 61, to A. Seilet, sheriff of Walla Walla county, for fees, and clothing, tools, &c., furnished in keeping Territorial convicts from Jan. 1st, 1866, to June 1st, 1866, five months, as per semi-annual report,.....	324 00
Aug. 6.	No. 62, to Wm. Martin, for keeping Territorial convicts, balance due after deducting labor as per report,.....	194 15
Aug. 27.	No. 63, to Levi Douthit, for two days' services in inspecting and auditing accounts of St. John's Insane Asylum, at Vancouver, W. T.,.....	6 00
Aug. 27.	No. 64, to David Wall, for inspecting and auditing accounts of St. John's Insane Asylum at Vancouver.....	6 00
Aug. 27.	No. 65, to Col. A. G. Nripp, for services as inspector of St. John's Insane Asylum,	6 00
Aug. 28.	No. 66, to Wm. Martin, keeper Territorial convicts at Walla Walla, for balance due on keeping Territorial convicts, as per supplemental report,.....	42 37
Oct. 30.	No. 67, to Sheldon B. Fargo, salary as Prosecuting Attorney for quarter ending Sept. 30, 1866,.....	200 00
Nov. 10.	No. 68, to James Busby, for survey of road from Skagit to Columbia river, authorized by act approved Jan. 27, 1866, (broken warrant),.....	400 00
Nov. 10.	No. 69, to James Busby, for survey of road from Skagit to Columbia river, authorized by act approved Jan. 27, 1866,...	400 00
Nov. 10.	No. 70, to Levi Farnsworth, for improvement on road from Cascades to Vancouver, authorized by act Jan. 27, 1866,	300 00
Nov. 10.	No. 71, to Levi Farnsworth, for improvements on road from Cascades to Vancouver,.....	300 00
Nov. 10.	No. 72, to Levi Farnsworth, for improving road from Cascades to Vancouver,....	400 00
Amount carried forward,.....		$ 3926 82

	Amount brought forward,.....	$ 3926 82
Jan. 26, 1864.	No. 73, to Charles P. Judson, for compensation as engrossing clerk, third session of the Legislative Assembly, authorized by act passed January 26th, 1864, [this act requires the Territorial Auditor to draw all warrants issued for services under this act, with even date with said act.].....	195 00
Dec. 6.	No. 74, to Stephen Judson, sheriff Pierce county, for keeping territorial convicts, as per approved account on file,.....	100 00
Dec. 6.	No. 75, to Stephen Judson for same,.....	150 00
Dec. 6.	No. 76, to Stephen Judson for same,.....	322 13
Dec. 31.	No. 77, to Wm. H. McGrath, for keeping territorial convict at Vancouver, as per approved account on file, after deducting labor,.....	512 50
		$ 5206 45

Warrant No. 59, for keeping insane persons in St. John's asylum, was cancelled, the law of 1866 rendering a warrant unnecessary.

In July last, a contract was entered into by the Governor and Territorial Auditor, in behalf of the Territory, with Messrs. Huntington and Hays, of Monticello, for the care and safe keeping of insane and idiotic persons, upon very advantageous terms to the Territory. Under this contract the contractors bind themselves for the medical treatment, (including medicines) care, safe keeping, board and clothing of this unfortunate class of persons, at the rate of seven dollars per week each, in currency. This will materially reduce the cost of this charge upon the Territory.

The necessity of county officers making prompt exhibit of the amount of revenue due from each county to the Territorial treasury, cannot be too strongly urged. Without this, a complete statement cannot be presented, and the exact condition of the Territorial finances must be involved in constant and perplexing doubt. This delinquency has been attributed to carelessness, rather than a willful neglect of duty, and hence no legal measures have been adopted to compel a compliance with the plain requirements of law. It may, however, be found necessary hereafter to institute proceedings against county officers who fail to discharge their duty in this respect.

From the imperfect state of the Treasurer's books up to 1863, it is impossible to arrive at a full or satisfactory exhibit of the Territorial indebtedness, as up to that date no correct list was kept of the warrants as paid. It is believed, however, that that indebtedness is about liquidated, and that the Territory stands indebted but little more than the warrants yet outstanding of 1866, and the bill for keeping the insane for the six months last past. These demands can easily be met by the amount in the treasury, and the revenue now due from the several counties. Respectfully submitted,

JOHN M. MURPHY,
Territorial Auditor.

TERRITORIAL TREASURER'S OFFICE,
Olympia, Jan. 1, 1867.

To the Honorable the Legislative Assembly of the Territory of Washington:

Herewith I have the honor to submit my annual report as Territorial Treasurer, showing the receipts and disbursements of the Territorial funds for the year ending December 31, 1866:

ACCOUNT OF RECEIPTS.

TERRITORIAL TREASURER,
In account with Washington Territory, *Dr.*

To amount of Territorial tax received from the following counties:

1866.		
Jany. 8.	Stevens county,	$ 973 20
	Island county,	234 82
" 11.	Lewis county,	600 00
" 12.	Mason county,	39 00
" 25.	Stevens county,	1021 12
	Whatcom county,	300 00
Feb. 9.	Cowlitz county,	244 78
June 28.	Thurston county,	236 93
	Lewis county,	284 23
	Walla-walla county,	733 32
	Chehalis county,	325 19
	Amount carried forward,	$ 4992 59

		Amount brought forward,	$ 4992 59
Aug.	13.	Walla-walla county,	800 00
Nov.	1.	Mason county,	60 00
"	19.	Thurston county,	500 00
"	23.	Jefferson county,	250 00
Dec.	3.	Chehalis county,	176 60
"	4.	Skamania county,	1300 17
		Pierce county,	316 90
"	8.	Kitsap county,	1424 18
"	14.	Walla-walla county,	2000 00
		Mason county,	25 00
		Snohomish county	100 00
"	22.	Cowlitz county,	432 71
		Thurston county,	1133 70
Total amount received,			$13,511 85
Balance on hand at the commencement of the year,			1302 93
			$14,814 78

ACCOUNT OF DISBURSEMENTS;

TERRITORIAL TREASURER,

In account with Washington Territory, *Cr.*

By amount of money disbursed as follows:

1866.

Jan.	6.	Paid warrant No. 12, of 1862,	60 00
		Freight on library books,	31 42
"	10.	J. K. Kennedy, salary as pros. att'y, for 4th quarter of 1865,	200 00
"	25.	Rent of office for December, 1865,	10 00
		For stationery,	10 00
		R. Lane, as pr act of the Legislature,	200 00
		Paid the following Territorial warrants:	
		Warrant No. 18, of 1863,	100 00
		" 19, "	136 00
		" 20, "	100 00
		" 23, "	165 40
		Amount carried forward,	$ 1012 82

	Amount brought forward,.....	$ 1012 82
Jan. 25.	Warrant No. 12, of 1864,.....	236 86
	" 12, "	142 28
	" 17, "	160 00
	" 17, "	40 00
	" 35, 1865,.....	166 67
	" 43, "	232 00
	" 44, "	161 00
	" 49, 1866,.....	30 00
	Paid H. G. Struve, fees as pros. att'y for Pacific and Cowlitz counties,.....	50 00
Feb. 1.	Paid the following Territorial warrants:	
	Warrant No. 19, of 1862,.....	40 00
	" 17, of 1863,..... .	27 50
	Gov. Pickering amount due Sisters of Charity,.....	1093 70
" 9.	John M. Murphy, for Printing,....	70 00
	For stamps, ...	5 00
	Warrant No. 50, 1866,.....	180 00
	Salaries pros. att'ys to 30th March, 1866:	
	H. G. Struve,.....	200 00
	James K. Kennedy,.....	200 00
	J. M. Murphy, salary, rent and printing,	367 03
June 28.	Warrant No. 41, of 1865,.....	200 00
	" 42, "	533 32
	S. B. Fargo, salary as pros. attorney,....	200 00
	J. M. Murphy, salary and rent,.....	150 00
Aug. 13.	Express charges,.....	17 85
	J. M. Murphy, for printing circulars,....	15 00
	H. G. Struve, salary to June 30th, 1866,.	200 00
	Gov. Pickering, for Sisters of Charity,..	600 00
	" " " ...	500 00
Sept. 7.	Paid express charges,.....	6 00
	Governor Pickering, for printing,.....	65 00
" 17.	John M. Murphy, salary and rent,.....	150 00
	" " printing for Supreme Court,.	35 00
Nov. 1.	Gov. Pickering, expenses lun. asylum,..	133 00
" 22.	H. G. Struve, salary to 30th Sept., 1866,	200 00
	Amount carried forward,.....	$ 7420 03

		Amount brought forward,.....	$ 7420 03
Nov.	22.	H. G. Struve, fees in Supreme Court,...	100 00
"	23.	Capt. Finch, transportation of money,...	2 50
"	24.	Gov. Pickering, expenses lunatic asylum,	110 10
Dec.	6.	" for Sisters of Charity,....	1000 00
		J. K. Kennedy, fees to 30th Sept., 1866,	200 00
		W. G. Langford, salary as pros. att'y,..	100 00
"	8,	Paid warrant No 103, of 1861,.....	9 00
		Gov. Pickering, for Sisters of Charity,..	1300 00
		J. H. Munson, charges on books for Territorial library,.....	49 10
"	14,	Express charges,.....	38 50
		For stationery,.....	28 00
		Gov. Pickering, in full on account of Sisters of Charity,.....	280 00
		Warrant No 61, of 1866, being cost bill from Walla-walla county,.....	324 00
		Warrant No 26, of 1863,.....	25 62
		The following Tucker warrants, bearing interest at 15 per centum:	
		Warrant No 132, of 1861,.....	50 00
		" 143, "	100 00
		" 139, "	100 00
		Fifteen per cent interest on $250,.....	187 50
"	22,	Huntington & Hays, on account of lunatic asylum,.....	110 00
		Warrant No. 11, of 1863,.....	46 00
		" 5, 1864,.....	300 00
		" 6, 1863,.....	100 00
		" 62, 1865, ...	194 15
		" 60, 1866,.....	53 00
		Gov't direct tax received from Pierce co,	12 50
"	31,	Warrant No 54, of '66,.....	35 00
		" 5, c. '64,.....	80 00
		John M. Murphy, in full for salary and rent to 31st December, 1866,.....	180 00
		W. G. Lankford, salary as pros. att'y,...	100 00
		Amount carried forward,.....	$12,635 50

	Amount brought forward,.....	$ 12,635 50
Dec. 31.	Rent of office for Territorial treasurer, from January 1, to Dec. 31, 1866,.....	60·00
	Percentage on rec'pts and disbursements for the year:	
	Two per cent on $13,511 85, received,..	270 24
	" " 12,695 50, disbursed,.	253 91
	" " . 2136 90, cost bills credited to counties,.....	42 73
By balance on hand,.....		1552 40
		$14,814 78

Pursuant to an act of the Legislative Assembly, passed January 17th, 1866, making it the duty of the Territorial Treasurer to submit to the House of Representatives of the Legislative Assembly at each regular session, an estimate of the probable expenditures of the Territory, I herewith respectfully submit the following estimate of funds required to meet the expenditures of the year 1867:

For care and keeping of the insane,..... ..	$4500 00
Salaries of prosecuting attorneys,.....	2500 00
Incidental expenses,.....	2000 00
Pay of enrolling clerk,.....	300 00
Back pay for care and keeping of the insane,.....	2250 00
Unpaid Territorial warrants,.....	6288 00
	$17,838 00

Taking as a guide the assessment of last year, we find the following result:

Amount assessed for the year 1866,.....	$19,094 00
Allowance for delinquent tax,.....	2000 00
Leaving	$17,094 00

Showing that the same rate of taxation as adopted last year, together with the balance now on hand in the treasury will about meet the expenses of the present year, should the above estimate be a correct one.

Trusting that the foregoing report may be found ample and satisfactory,

I remain, very respectfully,

Your obedient servant,

BENJAMIN HARNED,

Territorial Treasurer.

On motion,

The reports were laid upon the table and 2500 of each ordered printed.

Mr. Hancock, from committee on Enrolled Bills, submitted report.

Mr. McGilvra submitted report relative to

C. B. No. 13—An act to provide for the payment of assessors.

Mr. Simmons, of Klickitat, introduced the following bills:

H. B. 35—To locate the county seat and appoint officers for Klickitat county,

Bill read first time.

H. B. 36—To repeal an act to prevent the depreciation of U. S. legal tender notes,

Bill read first time.

H. B. 37—To repeal an act to organize the militia of Washington Territory,

Bill read first time.

H. B. 38—To repeal an act to create and regulate the office of inspector of salmon,

Bill read first time.

H. B. 39—In relation to taxing stock,

Bill read first time.

H. B. 40—To establish a code commission, appoint a commissioner, and provide for the payment,

Bill read first time.

Mr. Brazee, of Clarke, introduced

H. B. 41—An act establishing a common school system for the Territory of Washington,

Bill read first time.

Mr. Henry, of Thurston, introduced

H. B. 42—An act to establish a standard for the measurement of clapboards or shakes.

Bill read first time.

Mr. Rees, of Walla-walla, introduced

H. B. 43—An act relating to the specific performance of certain contracts,

Bill read first time.

Mr. O'Bryant, of Walla-walla, introduced the following bills:

H. B. 44—An act to authorize J. M. Vansyckle to establish a ferry at Wallula.

Bill read first time.

H. B. 45—An act to amend an act entitled an act relative to crimes and punishments in criminal cases,

Bill read first time.

H. B. 46—An act to authorize William Dargrow and others to establish a ferry on Snake river,

Bill read first time.

Mr. Eldridge, of Whatcom, introduced

H. M. 14—Relative to homestead,

Memorial read first time.

On motion of Mr. Eldridge,

The rules were suspended and the memorial read second time, and

Referred to committee on Federal Relations and Memorials.

Second reading of bills:

H. B. 33—An act to regulate the rate of interest on money and prevent and punish usury,

Bill read second time.

On motion of Mr. Eldridge,

Bill referred to committee on Ways, Means and Claims.

H. B. No. 6—An act relative to fences and fence viewers,

Bill read first time.

Mr. Ford moved to refer to committee on Agriclture.

Motion lost.

Mr. McGilvra moved to refer to committee on Counties.

Motion carried.

H. B. 34—An act in relation to elections, and the mode of supplying vacancies,

Was read second time, and

On motion of Mr. Van Bokkelen,

Was referred to committee on Judiciary.

The following message was received from the Council by their clerk:

COUNCIL CHAMBER,
January 4, 1867.

MR. SPEAKER—

I am instructed by the Council to inform the House of the ietroduction in the Council of the following:

C. B. 22—An act to provide for the assessing and collecting of Territorial and county revenue,

Also, the passage by the Council of

H. B. 1—Substitute—An act to restrain and license dance and hurdy gurdy houses, with an amendment,

H. B. 22—An act to repeal an act entitled an act to incorporate the town of Seattle.

H. B. 8—An act to revive an act to locate a Territorial road from Skagit Head to Deception Pass, in Island county.

H. B. 26—An act to incorporate Mill Plain Cemetery.

H. J. M. 8—Praying that vessels of war be stationed on Puget Sound,

H. B. 21—An act to authorize William Ranck, his heirs and assigns to construct a fishery and build a road in Clarke county.

C. B. 21—An act to amend an act entitled "an act to provide for the formation of corporations for certain purposes."

Also, that the Council concur in House amendments to

C. J. R. 4—Relative to the adjournment over the holidays.

N. S. PORTER,
Chief Clerk.

Mr. McGilvra in the chair.

H. B. 30—An act to provide for the election of county commissioners and defining their duties.

Bill read second time.

On motion of Mr. Ford,

Bill referred to committee on Judiciary.

Business on the table.

Mr. Speaker in the chair.

Mr. McGilvra submitted the following report:

MR. SPEAKER—

Your committee to whom was referred

C. B. No. 11—An act to amend an act entitled an act to regulate fees and costs of certain officers in the counties of Kitsap, Jefferson and Stevens,

Have had the same under consideration, and instructed me to report the same back to the House with the following amendment, by inserting after the word Snohomish, in the third line of the first section in the printed copy, the words, "Klickatat, Yakima, Whatcom and Lewis," so that it shall read that an act to regulate fees and costs of certain officers in the counties of Kitsap, Jefferson and Stevens, approved January 23, 1866, be extended over Snohomish, Klickitat, Yakima and Island counties, and recommend its passage.

Also, that they have under consideration the proposition to report a general bill, and have instructed me to report that in their opinion, the present general fee bill is quite satisfactory.

J. J. McGILVRA,
Chairman.

Bill read third time, passed and title agreed to.

Mr. Simmons, of committee on Judiciary, submitted the following report:

MR. SPEAKER—

Your committee on Judiciary to whom was referred

H. B. 20—An act requiring the registration of county script in Walla-walla county.

Beg leave to report a substitute for said bill, and recommend its passage.

A. H. SIMMONS,
Chairman.

Substitute bill read first time.

Mr. Hancock, from committee on Enrolled Bills, submitted the following report:

MR. SPEAKER—

Your committee on Enrolled Bills have compared, and find correctly enrolled

H. J. M. No. 1—Relative to erection of dry dock on Puget Sound.

H. J. R. No. 3—Relative to distribution of muskets in Snohomish county.

H. J. R. 4—Relative to the erection of fortifications on Puget Sound.

H. J. R. 10—Relative to appropriation for building capitol and penitentiary.

H. B. 23—An act to amend an act entitled "an act to amend an act entitled an act to provide for the assessing and collecting of Territorial and county revenue," so far as relates to Lewis county,"

LEE HANCOCK,
Chairman.

Report adopted.

On motion of Mr. Eldridge,

The committee on Enrolled Bills were instructed to request their clerk to enroll memorials in preference to other bills.

On motion of Mr. Harmon,

House adjourned until to-morrow morning at 10 o'clock.

CHAS. EAGAN,
Chief Clerk.

HOUSE OF REPRESENTATIVES,
Saturday, January 5, 1867.

House met pursuant to adjournment.

Mr. Speaker in the chair.

Roll called. Present, Messrs. Brazee, Clarke, Ford, Hancock, Henry, Harmon, Heckert, Huntington, Jesse, Knapp, Longmire, Morgan, McGilvra, O'Bryant, Pollock, Page, Rees, Ruth, Simmons, Smith and Van Bokkelen.

Absent—Messrs. Barstow, Clymer, Eldridge, Jacobs, Kelley, Robinson, Temple and Young.

Prayer by the Chaplain.

Journal of yesterday read and approved.

The Speaker announced that he was about to sign the following:

H. J. M. 1—Relative to dry dock on Puget Sound.

H. J. R. 3—Relative to distribution of muskets in Snohomish county.

H. J. R. No. 4—Relative to erection of fortifications on Puget Sound.

H. J. R. 10—Relative to appropriation for building capitol and penitentiary.

H. B. 23—An act to amend an act entitled "an act to provide for the assessing and collecting of Territorial and county revenue."

Mr. McGilvra introduced a petition relative to a ferry on White river.

On motion of Mr. Simmons,

Petition was referred to King county delegation, with instructions to bring in a bill.

Mr. Simmons, from committee on Judiciary, presented report relative to

H. B. 32—An act for the relief of James Huntington and W. W. Hays, who have the keeping of the insane and idiotic persons of Washington Territory;

H. B. 28—An act in relation to verdicts of juries.

C. B. No. 15—An act authorizing the appointment of court commissioners.

Mr. Smith of Snohomish, introduced:

H. J. R. 12—Relative to land warrants.

Resolution read first time.

On motion of Mr. Eldridge,

Rules suspended and resolution read second time.

On motion of Mr. Van Bokkelen,

The rules were further suspended and the resolution read third time and passed.

Mr. Van Bokkelen, of Stevens, introduced

H. B. 47—An act in relation to insolvent debtors,

Read first time.

Mr. Knapp, of Clarke, introduced

H. B. 48—An act to repeal an act in relation to sale of school lands,

Bill read first time.

H. B. 50—An act to appoint viewers to review and relocate that part of the Territorial road leading from Monticello, Cowlitz county, to the Upper Cascades, which lies between Vancouver and the foot of Cape Horn mountain.

Bill read first time.

Also,

H. B. 49—An act in relation to the duties of county auditors,

Read first time.

Also,

H. B. 51—An act to apportion the members of the Council and the members of the House of Representatives of the Territory of Washington,

Bill read first time.

Mr. Eldridge moved to lay the bill on the table, and make it the special order of January 21.

Upon this question the ayes and noes were demanded, with the following result:

Those who voted in the affirmative are—

Messrs. Clymer, Clarke, Eldridge, Ford, Hancock, Harmon, Heckert, Huntington, Longmire, Morgan, McGilvra, Ruth, Simmons, Smith, Temple, Van Bokkelen, Young and Mr. Speaker—18.

Those voting in the negative are—

Messrs. Brazee, Henry, Jesse, Knapp, O'Bryant, Pollock, Page and Rees—8.

Mr. Eldridge moved that the vote by which the bill was laid on the table be re-considered.

Motion lost.

H. B. 52—An act to repeal certain acts in relation to license in Clarke county.

Bill read first time.

Mr. Van Bokkelen moved the rules be suspended, and the bill be read second time now.

Motion lost.

Mr. Heckert, of Clalm, introduced

H. B. 53—An act amendatory of an act for the preservation of game, approved January 21, 1865.

Bill read first time.

Mr. Ruth, of Thurston, introduced

H. B. 54—An act to provide for a Territorial librarian, to prescribe his duties and protect the library.

Bill read first time.

Mr. Clymer, of King, introduced

H. B. 55—An act to incorporate the Mary's Creek Road Company,

Bill read first time.

On motion of Mr. Simmons,

The rules were suspended and the bill read second time by title.

On motion of Mr. Smith,

The rules were further suspended, and the bill read third time, passed and title agreed to.

Mr. Eldridge, of Whatcom, introduced

H. B. 56—An act to repeal an act entitled an act in relation to road tax in Whatcom county,

Bill read first time.

On motion of Mr. Clymer,

The rules were suspended, and the bill read second time.

On motion of Mr. Eldridge,

The rules were suspended and the bill read a third time and passed and title agreed to.

On motion of Mr. Van Bokkelen,

The committee on Printing were instructed to request the printer to give bills the preference.

Mr. Simmons gave notice that at an early day he would introduce a bill to apportion the representation of Washington Territory, and asked that notice be spread upon the journal.

The chair ruled the notice in order, and ordered the same spread upon the journal.

Mr. Eldridge appealed from the ruling of the chair.

The question was—"Shall the chair be sustained?"

Upon which question the ayes and noes were demanded with the following result:

Those voting in the affirmative are—

Messrs. Brazee, Hancock, Henry, Jesse, Knapp, Longmire, McGilvra, O'Bryant, Pollock, Page, Rees, Ruth, Simmons and Mr. Speaker—14.

Those who voted in the negative are—

Messrs. Clymer, Clarke, Eldridge, Ford, Harmon, Heckert, Huntington, Morgan, Smith, Temple, Van Bokkelen and Young—12.

On motion of Mr. Ford,

House took a recess of ten minutes.

House re-assembled.

The following message was received from the Council by their clerk:

COUNCIL CHAMBER,
January 5, 1867.

MR. SPEAKER—

I am instructed by the Council to inform the House of the ietroduction in the Council of the following:

C. B. 23—An act in relation to married women acquiring and holding property.

C. B. 24—An act to amend an act entitled an act to incorporate the town of Olympia.

Also, the passage by the Council of

H. J. M. 9—Praying for a right of way across the military reserve at Port Townsend,

C. B. 20—An act in relation to landlord and tenant,

Also, that the President of the Council has signed the following:

C. J. R. 1—Relative to reception of the message of the Governor.

C. B. No. 3—An act to amend an act entitled, an act to incorporate the city of Walla-walla, passed January 11, 1862.

H. J. R. No. 1—Relative to communication from the Governor,

H. J. R. —Relative to the appointment of enrolling clerk,

H. J. R. 11—Relative to map of the Territory.

H. M. No. 2—Relative to the Mullan road.

H. M. No. 5—Relative to carrying the mail on route No. 15,407, between Walla-walla and Pinkney city.

H. M. No. 6—Praying Congress to increase the number of Indian agents in Washington Territory.

H. B. 10—An act entitled "an act in relation to King county, and the same are herewith transmitted.

Also, that

C. B. 1—An act to amend an act entitled "an act relating to suits on foreign judgments," approved January 18, 1866.

C. B. No. 2—An act to regulate the holding of lead, copper and iron mining claims.

C. B. 8—An act to amend an act entitled an act for the better observance of the Sabbath,

C. B. 10—An act to vacate certain streets and alleys in the town of Olympia.

C. B. 16—An act to change the name of Charles Anthony Fralestein to Charles Anthony White.

C. J. R. 3—Relative to the death of Sidney S. Ford.

Have been reported correctly enrolled, and the same are herewith transmitted for the signature of the Speaker.

N. S. PORTER,
Chief Clerk.

Second reading of bills:

H. B. 46—An act to authorize William Dargrow and others to establish a ferry on Snake river,

Bill read second time by title.

On motion of Mr. Ford,

Bill referred to delegation from Walla-walla county.

H. B. 45—An act to amend an act entitled an act in relation to crimes and punishments.

Bill read second time by title, and

On motion of Mr. Van Bokkelen,

Bill referred to committee on Judiciary.

H. B. 44—An act authorizing J. M. Van Syckle to establish a ferry at Wallula.

Was read second time, and

On motion of Mr. Brazee,

Bill referred to delegation from Walla-walla county.

H. B. 43—An act relating to the specific performance of contracts.

Bill read second time.

On motion of Mr. Knapp,

Bill referred to committee on Judiciary.

H. B. 42—An act to establish a standard for the measurement of clapboards or shakes,

Bill read second time.

On motion of Mr. Van Bokkelen,

Bill read third time, passed and title agreed to.

H. B. 41—An act establishing a common school system for the Territory of Washington.

Bill read second time by title, and

On motion of Mr. Clymer,

Bill referred to committee on Education.

H. B. 40—An act to establish a code commission, appoint a commission and provide for the pay.

Bill read second time.

Mr. Clymer moved to refer to committee on Judiciary.

On motion of Mr. Ford,

Bill referred to committee on Ways and Means.

H. B. 39—An act in relation to taxing stock,

Bill read second time,

On motion of Mr. Van Bokkelen,

Bill referred to committee on Ways and Means.

On motion of Mr. Simmons,

C. B. No. 6—An act to fix the time of meeting of the Legislative Assembly of the Territory of Washington, was taken up,

Mr. Van Bokkelen moved to amend by striking out September, and inserting December.

Mr. Knapp moved to amend the amendment by inserting October in lieu of December.

Upon which motion the ayes and noes were demanded, with the following result:

Those voting in the affirmative are—

Messrs. Ford, Hancock, Henry, Heckert, Huntington, Jesse, Knapp, O'Bryant, Pollock, Page, Rees, Ruth, Smith and Mr. Speaker—14.

Those voting in the negative are—

Messrs. Brazee, Clymer, Clarke, Eldridge, Harmon, Longmire, Morgan, McGilvra, Simmons, Temple, Van Bokkelen and Young—12.

Motion carried.

On motion of Mr. Knapp,

The rules were suspended, and bill read third time, passed and title agreed to.

H. R. 5—Was taken from the table.

Mr. Simmons, of committee on Judiciary, submitted the following report:

MR. SPEAKER—

Your committee to whom was referred the report of the special committee to examine the journal of the Council, as well as the resolutions proposed touching the privilege of the House, have had the same under consideration.

After a careful examination of the facts before them, and of such authorities as were within their reach, your committee are of the opinion that the methods of Parliament have been departed from by the Council in a manner touching the privilege of the House.

Your committee are further of the opinion that the passage of resolutions reflecting in any manner upon a co-ordinate branch of the Legislature, would tend to promote mutual accusations between the two Houses, which could have no good results to the public interests, and would be unworthy of the true dignity of the House, which, in the opinion of your committee, will be best maintained by respectfully and courteously, but firmly asserting its rights.

If the privilege of the House has been infringed by the Council, it is but reasonable and fair to suppose, until it has been refused, that proper satisfaction will be given upon a fair understanding of the facts of the case, and the rules of Parliament applicable thereto.

Should proper satisfaction not be arrived at, the journals will remain as the evidence upon which the country must settle the question of dignity between the two Houses.

Your committee therefore respectfully recommend that a conference be asked upon the matter of the resolution to come to a right understanding thereon.

That the said committee of conference be instructed to inform the Council through its conferees, that this House regards

the resolution censuring one of its officers as unparliamentary, for the following reasons:

1. Members of either House are at all times exempted from question elsewhere for any thing said in their own House. See Jefferson's Manual, page 15.

2. If an offense be committed by a member in the House, of which the House has cognizance, it is an infringement of their right for any person or court to take notice of it until the House has punished the offender, or referred him to a due course. See same, page 20.

3. Neither House can exercise any authority over a member or officer of the other, but should complain to the House of which he is, and leave the punishment to them. See same, page 43.

All of which is respectfully submitted by your committee.

A. H. SIMMONS,
Chairman.

On motion of Mr. Simmons,

A call of the House was ordered.

The Sergeant-at-arms was dispatched for absent members.

Mr. Clymer moved a further call of the House be dispensed with.

Motion lost.

Mr. Clymer moved the House adjourn.

Motion lost.

Mr. Simmons moved the further call of the House be dispensed with.

Motion carried.

Mr. Eldridge moved to amend by striking out four last sections of resolution. Motion carried.

Mr. McGilvra moved the report be adopted,

Upon which motion the ayes and noes were demanded, with the following result:

Those voting in the affirmative are—

Messrs. Brazee, Eldridge, Hancock, Henry, Harmon, Heckert, Jesse, Knapp, Longmire, Morgan, McGilvra, O'Bryant,

Page, Pollock, Rees, Ruth, Simmons, Smith Van Bokkelen and Mr. Speaker—20.

Those voting in the negative are—

Messrs. Clymer, Clarke, Huntington, Temple and Young–5.

Report adopted.

On motion of Mr. Ruth,

The House adjourned.

CHAS. EAGAN,
Chief Clerk.

HOUSE OF REPRESENTATIVES,
Monday, January 7, 1867.

House met pursuant to adjournment.

Mr. Speaker in the chair.

Roll called. Present—Messrs. Clymer, Clark, Eldridge, Ford, Hancock, Henry, Harmon, Heckert, Huntington, Jesse, Knapp, Kelley, Longmire, Morgan, McGilvra, O'Bryant, Pollock, Page, Rees, Ruth, Smith, Temple, Van Bokkelen, Young and Mr. Speaker.

Absent—Messrs. Brazee, Barstow, Jacobs, Robinson, Simmons.

On motion of Mr. Henry,

The Sergeant-at-arms was granted leave of absence for two days.

The chair appointed Mr. Van Bokkelen to act as Sergeant-at-arms *pro tem.*

Prayer by the Chaplain.

Journal of Saturday read and approved.

Mr. Miles introduced a petition from the citizens of Lewis county, praying for location of road from Boisfort to intersect military road leading to Monticello.

Petition read first time.

On motion of Mr. Simmons,

Referred to committee on Roads and Highways.

Mr. Henry, from committee on Federal Relations and Memorials, submitted report relative to

H. M. 14—Relative to homestead,

Mr. McGilvra, from select committee, presented report relative to ferry on White river.

Mr. Ford, of Chehalis, introduced

H. B. 57—An act to provide for the removal of obstructions to Navigation on Chehalis river.

Bill read first time.

Mr. Smith, of Snohomish, introduced

H. M. 15—Asking increase of pay for survey of timber lands.

Memorial read first time.

On motion of Mr. Eldridge,

The rules were suspended and the memorial read second time, and

On motion of Mr. Simmons,

Memorial referred to committee on Federal Relations and Memorials.

Mr. Kelley of Pierce, introduced

H. J. R. 14—Relative to treatment of prisoners in Pierce county jail.

Resolution read first time.

On motion of Mr. Ruth,

The rules were suspended and resolution read second time.

On motion of Mr. Kelley,

The rules were further suspended and the resolution read a third time and passed.

Mr. Van Bokkelen, of Stevens, introduced

H. J. R. 13—Relative to map of Territory, and boundaries of counties.

Resolution read first time.

On motion of Mr. Van Bokkelen,

The rules were suspended and the resolution read second time.

On motion of Mr. Ford,

The rules were further suspended and the resolution read third time and passed.

H. B. 58—An act in relation to public roads in Stevens county.

Bill read first time.

H. B. 59—An act to authorize H. L. Tibbals, A. Hibbard and their associates to build a wharf.

Bill read first time.

H. B. 60—An act to amend an act to incorporate the city of Port Townsend, Jefferson county, W. T., passed January 16, 1860, and to repeal all other acts in relation thereto.

Bill read first time.

On motion of Mr. Longmire,

The rules were suspended, and bill read second time.

On motion of Mr. Longmire,

The rules were further suspended and the bill read third time, passed and title agreed to.

Second reading of bills:

H. B. 20—An act requiring the registration of county script in the several counties.

Bill read second time.

On motion of Mr. O'Bryant,

Rules further suspended and bill read third time, passed and title agreed to.

Mr. Ford in the chair.

H. B. 35—To locate the county seat and appoint officers for Klickitat county,

Bill read second time.

On motion of Mr. Van Bokkelen,

The rules were further suspended, and the bill read third time, passed and title agreed to.

The following message was received from the Council by their clerk:

COUNCIL CHAMBER,
January 7, 1867.

MR. SPEAKER—

I am instructed by the Council to inform the House of the ietroduction in the Council of the following:

C. B. 25—An act in relation to road taxes in Snohomish county.

Also, the passage by the Council of

H. M. 10—Relative to tri-weekly mail service on route No. 15,407, from Olympia to Port Townsend,

H. M. No. 11—Relative to the establishment of a mail route from Puget Sound to Walla-walla,

H. J. M. 12—Relative to North Pacific railroad,

H. M. 13—Relative to mail route between Port Townsend and Ebey's Landing.

H. B. 27—An act to authorize Patrick Ferral to construct a bridge across Hangman's Creek,

C. B. 17—An act relative to attachments in civil actions.

Also, that the Council concur in House amendments to

C. B. No. 11—An act to amend an act entitled "an act to regulate fees and costs in certain counties."

N. S. PORTER,
Chief Clerk.

H. B. 36—An act to repeal an act entitled an act to prevent the depreciation of U. S. legal tender notes,

Bill read second time.

On motion of Mr. Van Bokkelen,

The rules were suspended and the bill read a third time and passed and title agreed to.

On motion of Mr. Van Bokkelen,

The clerk was instructed to inform the Council forthwith of the passage of H. J. R. 14.

H. B. 37—An act to repeal an act organizing the militia of Washington Territory,

Bill read second time.

On motion of Mr. Clymer,

Bill referred to committee Military Affairs.

H. B. 38—An act to repeal an act to create and regulate the office of inspector of Salmon,

Bill read second time by title, and

On motion of Mr. McGilvra,

Rules suspended, and bill read third time passed and title agreed to.

H. B. 50—An act to appoint viewers to review and relocate that part of the Territorial road leading from Monticello, Cowlitz county, to the Upper Cascades, which lies between Vancouver and the foot of Cape Horn mountain.

Bill read second time.

On motion of Mr. Knapp,

Rules suspended, and bill read third time, passed and title agreed to.

The following message was received from the Council by their clerk:

COUNCIL CHAMBER,
January 7, 1867.

MR. SPEAKER—

I am instructed by the Council to inform the House of the passage by the Council of the following:

H. J. R. 13—Relative to map of the Territory.

Also, that the President has appointed Messrs. Clark, Farnsworth and Langford a committee on the part of the Council in accordance with said joint resolution.

N. S. PORTER,
Chief Clerk.

The chair appointed Messrs. Van Bokkelen, Page and Eldridge on the part of the House.

H. B. 52—An act to repeal certain acts in relation to license in Clarke county.

Bill read second time.

On motion of Mr. Eldridge,

Bill referred to committee on Counties.

H. B. 53—An act amendatory of an act for the preservation of game, approved January 21, 1865.

Bill read second time by title, and

On motion of Mr. Simmons,

Bill referred to committee on Agriculture.

H. B. 48—An act to repeal an act in relation to sale of school lands,

Was read second time, and

On motion of Mr. Knapp,

Bill referred to committee on Education.

H. B. 49—An act in relation to the duties of county auditors,

Bill read second time.

On motion of Mr. Knapp,

Bill referred to committee on Judiciary.

H. B. 54—An act to provide for a Territorial librarian, to prescribe his duties, and protect the library.

Bill read second time,

On motion of Mr. McGilvra,

Bill referred to committee on Public Buildings and Grounds.

On motion of Mr. Eldridge,

H. J. M. 14, with report of committee, was taken from the table.

On motion of Mr. Smith,

The rules were suspended, and memorial read third time and passed.

On motion of Mr. Brazee,

The House took a recess of one hour.

House reassembled.

C. B. 13—An act to provide for the pay of assessors.

Bill read third time, passed and title agreed to.

Business on the table.

H. B. 32—An act in relation to the keeping of the insane and idiotic persons of Washington Territory,

Bill read first time.

On motion of Mr. McGilvra,

The rules were suspended, and the bill read second time, amended, and

Referred to committee on Judiciary.

Mr. Simmons, of committee on Judiciary, submitted the following report:

MR. SPEAKER—

Your committee on Judiciary, to whom was referred

H. B. 28—An act in relation to verdicts of juries,

Have instructed me to recommend that it be indefinitely postponed.

A. H. SIMMONS,
Chairman.

On motion of Mr. McGilvra,

The report was adopted.

Mr. Rees moved to indefinitely postpone

H. B. 28—An act in relation to the verdict of juries.

Upon which motion the ayes and noes were demanded, with the following result:

Those voting in the affirmative are—

Messrs. Brazee, Clymer, Clarke, Hancock, Henry, Jesse, Knapp, Kelley, Longmire, McGilvra, Morgan, O'Bryant, Pollock, Page, Rees, Ruth and Simmons—17.

Those voting in the negative are—

Messrs. Eldridge, Ford, Harmon, Huntington, Smith, Temple, Van Bokkelen, Young and Mr. Speaker—9.

Bill indefinitely postponed.

Mr. Simmons, from committee on Judiciary, presented the following report:

MR. SPEAKER—

Your committee on Judiciary to whom was referred

C. B. No. 15—An act authorizing the appointment of court commissioners,

Have had the same under consideration and respectfully recommend its passage.

F. H. SIMMONS,
Chairman.

C. B. 15—An act authorizing the appointment of court commissioners, and defining their duties, was taken up.

Mr. Clymer moved an indefinite postponement of the bill.

Upon which question the ayes and noes were demanded with the following result:

Those voting in the affirmative are—

Messrs. Brazee, Clymer, Clarke, Eldridge, Ford, Hancock, Harmon, Jesse, Knapp, Kelley, Longmire, Morgan, McGilvra, Pollock, Page, Smith, Temple, and Young—18.

Those who voted in the negative are—

Messrs. Henry, Huntington, O'Bryant, Rees, Ruth, Simmons, Van Bokkelen and Mr. Speaker—8.

The bill was indefinitely postponed.

Mr. McGilvra submitted the following report:

MR. SPEAKER—

Your Special committee to whom was referred a petition of citizens of King county, praying for a charter for a ferry across White river, with instructions to report by bill, have had the same under consideration, and have instructed me to report the accompanying bill and recommend its passage.

J. J. McGILVRA,
Chairman.

On motion of Mr. Eldridge,

H. B. 19—An act in relation to the construction of roads and highways in Washington Territory, and defining the duties of supervisors, was taken from the table.

Mr. Eldridge moved that the House resolve itself into committee of the whole to take into consideration

H. B. 19—An act in relation to the construction of roads and highways in Washington Territory, and defining the duties of road supervisors.

Motion carried.

Mr. Rees in the chair.

On motion of Mr. O'Bryant,

The committee arose, the chairman reported progress and asked leave to sit again.

On motion of Mr. Eldridge,

The report of the committee was adopted.

Mr. Henry moved that the House resolve itself into a committee of the whole to-morrow at 2 o'clock.

Motion carried.

On motion of Mr. Kelley,

The House adjourned.

CHAS. EAGAN,
Chief Clerk.

HOUSE OF REPRESENTATIVES,
Tuesday, January 8, 1867.

House met pursuant to adjournment.

Mr. Speaker in the chair.

Roll called. Present—Messrs. Clymer, Clarke, Eldridge, Ford, Hancock, Henry, Harmon, Heckert, Huntington, Jesse, Knapp, Kelly, Longmire, Morgan McGilvra, O'Bryant, Pollock, Page, Rees, Ruth, Smith, Temple, Van Bokkelen, Young, Brazee and Simmons.

Absent—Messrs. Barstow, Jacobs and Robinson.

Prayer by the Chaplain.

Journal of yesterday read and approved.

On motion of Mr. Van Bokkelen,

Messrs. Robinson, Page, Jesse and Ford were excused for absence.

The Speaker announced that he was about to sign the following:

C. J. R. 4—Relative to adjourning over the holidays.

C. B. No. 1—An act to amend an act entitled, an act relating to suits on foreign judgments, approved January 18, 1866.

C. B. No. 2—An act to regulate the holding of lead, copper and iron mining claims.

C. B. 8—An act to amend an act entitled "an act for the better osbervance of Sunday," approved January 20, 1866.

C. B. No. 10—An act to vacate certain streets and alleys in the town of Olympia.

C. J. R. 3—Relative to death of Sidney S. Ford.

C. B. 16—An act to change the name of Charles Anthony Korstrom to Charles Anthony White.

Mr. Van Bokkelen introduced a petition recommending R. V. Turner to the appointment of second lieutenancy in the regular army.

Mr. Simmons in the chair.

Mr. Hancock, chairman of committee on Enrolled Bills, submitted the following report:

MR. SPEAKER—

Your committee on Enrolled Bills have compared the following, and find them correctly enrolled:

H. B. 8—An act to revive an act to locate a Territorial road from Skaget Head to Deception Pass in Island county, approved January 21, 1865.

H. B. 26—An act to incorporate Mill Plain Cemetery Association.

H. B. 22—An act to repeal an act entitled "an act to incorporate the town of Seattle."

H. B. 21—An act to authorize Wm. Ranck, his heirs or assigns to construct a fishery and build a road in Clarke county.

H. J. M. 9—Praying for a right of way across the military reserve at Port Townsend.

H. J. M. 8—Praying that vessels of war be stationed on Puget Sound.

LEE HANCOCK,
Chairman.

Mr. Henry, of Thurston, introduced

H. J. R. 15—Relative to compensation of Chas. P. Judson as enrolling clerk.

Resolution read first time.

On motion of Mr. Van Bokkelen,

The rules were suspended and the resolution read second time.

On motion of Mr. Longmire,

Resolution referred to committee on Claims.

Mr. McGilvra, of King, introduced

H. B. 62—An act supplemental to an act to repeal an act entitled "an act to incorporate the town of Seattle."

Bill read first time.

On motion of Mr. McGilvra,

The rules were suspended and the bill read second time by title.

On motion of Mr. McGilvra,

The rules were further suspended and the bill read third time, passed and title agreed to.

Mr. Rees, of Walla-walla, introduced

H. J. R. 16—Relative to joint convention for election of officers, &c.

Resolution read first time.

On motion of Mr. Brazee,

The rules were suspended and the resolution read second time by title.

Mr. McGilvra moved to refer.

Motion lost.

Mr. Knapp moved to fill the blank by inserting "to-morrow at 2 o'clock P. M."

Mr. Smith moved to amend Mr. Knapp's motion, by inserting "12th of January."

Mr. Knapp moved that the motion of Mr. Smith be laid on the table.

Motion carried.

Mr. Van Bokkelen moved that the "21st of January" be inserted.

Motion lost.

Mr. Longmire moved that the "12th of January, 1867," be inserted.

On this motion to amend the ayes and noes were called with the following result:

Those who voted in the affirmative are—

Messrs. Clymer, Clarke, Eldridge, Ford, Harmon, Huntington, Morgan, McGilvra, Smith, Temple, Van Bokkelen and Young—12.

Those who voted in the negative are—

Messrs. Brazee, Hancock, Henry, Heckert, Jesse, Knapp, Kelly, Longmire, O'Bryant, Pollock, Page, Rees, Ruth, Simmons and Mr. Speaker—15.

Amendment lost.

Mr. Miles moved that the vote of Mr. McGilvra be stricken out for absence from his seat, although within the bar.

Under direction from the chair the vote was cancelled.

Mr. Eldridge appealed from the ruling of the chair.

The question was—"Shall the chair be sustained?"

On this question the ayes and noes were called with the following result:

Those who voted in the affirmative are—

Messrs. Brazee, Eldridge, Hancock, Henry, Harmon, Heckert, Huntington, Jessee, Knapp, Kelly, Longmire, Morgan, O'Bryant, Pollock, Page, Rees, Ruth, Smith, Van Bokkelen and Mr. Speaker—20.

Those who voted in the negative are—

Messrs. Clymer, Clarke, Ford, Temple and Young—5.

The chair was sustained.

On motion of Mr. Henry,

Mr. McGilvra was allowed to record his vote.

The following message was received from the Council by their clerk:

COUNCIL CHAMBER,
January 8, 1867.

MR. SPEAKER—

I am instructed by the Council to inform the House of the passage by the Council of the following:

C. B. 24—An act to amend an act to incorporate the town of Olympia.

H. B. No. 4—An act to authorize D. J. Schnebley to construct a bridge across the Spokane river.

Also that the President has signed the following:

H. J. M. 1—Relative to dry dock on Puget Sound.

H. J. R. 3—Relative to distribution of muskets in Snohomish county.

H. J. R. 4—Relative to the erection of fortifications on Puget Sound.

H. J. R. 10—Relative to appropriation for building capitol and penitentiary.

H. B. 23—An act to amend an act entitled "an act to amend an act entitled 'an act to provide for the assessing and collect- of Territorial and county revenue, so far as relates to Lewis county.'"

N. S. PORTER,
Chief Clerk.

By request, Mr. Page was allowed to change his vote.

Mr. Miles moved to suspend the rules in order to read the resolution a third time.

On this motion the ayes and nays were called with the following result.

Thoes who voted in the affirmative are—

Messrs. Brazee, Hancock, Henry, Jesse, Kelly, Longmire, O'Bryant, Pollock, Page, Rees and Simmons—11.

Those who voted in the negative are—

Messrs. Clymer, Clarke, Eldridge, Ford, Harmon, Heckert,

Huntington, Knapp, Morgan, McGilvra, Ruth, Smith, Temple, Van Bokkelen, Young and Mr. Speaker—16.

Motion lost.

On motion of Mr. Van Bokkelen,

Resolution referred to committee on Elections.

Mr. Van Bokkelen, of Stevens, introduced

H. B. 63—An act to provide for the assessing and collecting of Territorial and school revenue.

Bill read first time.

On motion of Mr. Van Bokkelen,

The rules were suspended and the bill read second time by title.

On motion of Mr. Simmons,

Bill referred to committee on Engrossed Bills, with instructions to print.

H. B. 64—An act appropriating money to aid in the construction and repair of certain roads.

Bill read first time.

On motion of Mr. Smith,

The rules were suspended and the bill read second time by title.

Mr. Miles moved that the bill be indefinitely postponed.

Mr. Eldridge rose to a point of order, which was that Mr. Miles, of Lewis, was out of order in debating a question before it was stated by the chair.

Pending which, Mr. Henry moved that the House take a recess of one hour and a half.

Motion carried.

Mr. Eldridge moved to lay the question of order on the table.

Motion carried.

Mr. Henry moved that the bill be referred to the committee on Engrossed Bills.

Motion carried.

Mr. Clymer, of King, introduced

H. B. 65—An act authorizing the commissioners of King county to borrow money for the purpose of building bridges and opening roads in King county.

Bill read first time.

Mr. Page, of Walla-walla, introduced the following resolution:

Resolved by the House, That there be a salute given to Geo. E. Cole, our new Governor, at the capitol, under the direction of a committee of three appointed by the House.

Resolution read first time.

On motion of Mr. Knapp,

Rules were suspended and the resolution read second time by title.

Mr. Clymer moved that the 4th of July be affixed as the time.

Motion lost.

Mr. Clymer moved to lay the resolution on the table.

On this question the ayes and noes were called, with the following result:

Those who voted in the affirmative are—

Messrs. Clymer, Clarke, Eldridge, Ford, Huntington, Morgan, McGilvra, Temple and Young—9.

Those who voted in the negative are—

Messrs. Brazee, Hancock, Henry, Harmon, Heckert, Jesse, Knapp, Kelly, Longmire, O'Bryant, Pollock, Page, Rees, Ruth, Simmons, Smith, Van Bokkelen and Mr. Speaker—18.

Mr. Knapp moved that the resolution be adopted.

On this motion the ayes and noes were called with the following result:

Those who voted in the affirmative are—

Messrs. Brazee, Hancock, Henry, Harmon, Heckert, Jesse, Knapp, Kelly, Longmire, O'Bryant, Pollock, Page, Rees, Ruth, Simmons, Van Bokkelen and Mr. Speaker—17.

Those who voted in the negative are—

Messrs. Clymer, Clarke, Eldridge, Ford, Huntington, Morgan, McGilvra, Smith, Temple and Young—10.

Resolution adopted.

The Speaker appointed Messrs. Page, Harmon and Henry the committee to carry into effect the resolution relative to saluting the Governor.

Mr. Harmon, of Island, introduced H. R. 8, as follows:

Resolved by the House, That the Quartermaster General be and is hereby instructed to deliver forthwith, one rifle musket with accoutrements, to each of the members and officers of this body, including the chaplain and enrolling clerk, taking receipts therefor.

Resolution read first time.

On motion of Mr. Henry,

Rules were suspended and the resolution read second time.

On motion of Mr. Simmons,

The rules were further suspended and the resolution read third time and passed.

Mr. Clarke, of Pierce, introduced

H. B. 66—An act for the relief of R. H. Hewitt.

Bill read first time.

On motion of Mr. Van Bokkelen,

The rules were suspended and the bill read second time by title.

Bill amended by inserting "John M. Murphy" after "R. H. Hewitt."

Bill referred to committee on Claims.

H. B. 67—An act legalizing certain acts of the county commissioners of Pierce county.

Bill read first time.

Mr. Smith, of Snohomish, introduced

H. J. M. 16—Asking indemnity for property destroyed during the Indian war of 1855-6.

Memorial read first time.

House resolved itself into committee of the whole in pursuance to the order of yesterday.

Mr. Rees in the chair.

On motion of Mr. Simmons,

The committee arose, Mr. Rees, chairman, reported progress and asked leave to sit again.

Report of committee adopted.

On motion of Mr. Kelley,

The House adjourned.

CHAS. EAGAN,
Chief Clerk.

HOUSE OF REPRESENTATIVES,
Wednesday, January 9, 1867.

House met pursuant to adjournment.

Mr. Speaker in the chair.

Roll called. Present—Messrs. Brazee, Clymer, Clarke, Eldridge, Ford, Hancock, Henry, Harmon, Heckert, Huntington, Jesse, Knapp, Kelly, Longmire, Morgan, McGilvra, O'Bryant, Pollock, Page, Rees, Ruth, Simmons Smith, Temple, Van Bokkelen, Young and Mr. Speaker.

Absent—Messrs. Barstow, Jacobs and Robinson.

Prayer by the Chaplain.

Journal of yesterday read and approved.

Mr. Knapp introduced a petition for the relief of H. C. Morse, sheriff of Clarke county.

Petition read first time.

On motion of Mr. Knapp,

The petition was referred to the committee on Ways and Means.

Mr. Page, from committee on Enrolled Bills, submitted the following report:

MR. SPEAKER—

Your committee on Enrolled Bills have examined the following bills, and find the same correctly enrolled:

H. B. 27—An act to authorize Patrick Farrel to build a bridge on Hangman's creek.

H. M. 11—Relative to mail route from Puget Sound to Wallula.

H. J. R. 13—Relative to map of Territory and boundaries of counties.

H. J. M. 13—Relative to establishing mail route from Port Townsend to Ebey's landing.

H. J. M. 12—Relative to the Northern Pacific Railroad.

H. J. M. 10—Praying for semi-weekly service on mail route No. 15,407.

THOS. P. PAGE,
Chairman.

Mr. Pollock, from committee on Agriculture, presented report relative to

H. B. 53—An act to amend an act entitled "an act for the preservation of game."

Mr. Ruth, from committee on Library, Public Buildings and Grounds, presented report relative to

H. B. 54—An act to provide for a Territorial librarian, to prescribe his duties and to protect the library.

Mr. Henry, from committee on Federal Relations and Memorials, presented report relative to

C. J. M. 1—Remonstrating against removing the Head Quarters of the Military Department from Vancouver to Portland.

Mr. Knapp, from Select committee, presented report relative to

H. B. 18—An act to permanently locate the penitentiary of Washington Territory.

Mr. Brazee, of Clarke, introduced

H. B. 68—An act authorizing the county commissioners of

Skamania county to purchase the wagon road built by E. C. Hardy.

Bill read first time.

On motion of Mr. Knapp,

The rules were suspended and the bill read second time by title.

On motion of Mr. Brazee,

The rules were further suspended and the bill read third time, passed and title agreed to.

Mr. Pollock, of Clarke, introduced

H. B. 69—An act to repeal an act for the preservation of game.

Bill read first time.

On motion of Mr. Heckert,

The rules were suspended and the bill read second time by title.

On motion of Mr. Ford,

Bill referred to committee on Counties.

Mr. Harmon, of Island, introduced

H. B. 70—An act to amend an act entitled "an act defining the jurisdiction and practice in the probate courts of Washington Territory," passed January 16, 1863.

Bill read first time.

On motion of Mr. Knapp,

The rules were suspended and the bill read second time by title.

On motion of Mr. Van Bokkelen,

Bill referred to committee on Judiciary, with instructions to print.

The Speaker announced that he was about to sign the following:

H. B. 26—An act to incorporate Mill Plain Cemetery Association.

H. J. M. 8—Praying that vessels of war be stationed on Puget Sound.

H. J. M. 9—Praying for a right of way across the military reserve at Port Townsend.

H. B. 21—An act to authorize William Ranck, his heirs and assigns, to construct a fishery and build a road in Clarke county.

H. B. 22—An act to repeal an act entitled "an act to incorporate the town of Seattle."

H. B. 8—An act to revive an act to locate a Territorial road from Skaget Head to Deception Pass in Island county, approved January 21, 1865.

Second reading of bills.

H. B. 58—An act in relation to public roads in Stevens county.

Bill read second time.

On motion of Mr. Van Bokkelen,

Bill referred to committee on Roads and Highways.

H. B. 59—An act to authorize H. L. Tibbals and A. Hibbard to build a wharf at Port Townsend.

Bill read second time.

On motion of Mr. Van Bokkelen,

The rules were suspended, bill read third time, passed and title agreed to.

H. B. 57—An act to provide for the removal of obstructions to navigation on Chehalis river, was read second time.

On motion of Mr. Eldridge,

Bill referred to committee on Commerce.

H. B. 47—An act in relation to insolvent debtors.

Bill read second time.

On motion of Mr. Heckert,

Bill referred to committee on Judiciary.

H. B. 67—An act legalizing certain acts of the county commissioners of Pierce county.

Bill read second time.

On motion of Mr. Van Bokkelen,

Bill referred to the Pierce county delegation.

H. B. 65—An act authorizing the commissioners of King county to borrow money for the purpose of building bridges and roads in King county.

Bill read second time.

On motion of Mr. Van Bokkelen,

The rules were suspended and the bill read third time, passed and title agreed to.

H. J. M. 16—Asking indemnity for property lost during the Indian war of 1855-6.

Memorial read second time.

On motion of Mr. Longmire,

Rules were suspended and the memorial read third time and passed.

On motion of Mr. Eldridge,

The clerk was instructed to inform the Council forthwith, of the passage of the memorial.

Mr. Page, chairman of Select committee, submitted the following report:

MR. SPEAKER—

Your Special committee to whom was referred

H. B. 44—An act to authorize J. M. Vansycle to establish a ferry at Wallula.

H. B. 46—An act to authorize William Darrow and others to establish a ferry on Snake river,

Have had the same under consideration, amended the rates of ferriage so as to make them equal, and direct me to report the bills back to the House and recommend their passage.

THOS. P. PAGE,
Chairman.

On motion of Mr. Van Bokkelen,

The report of the committee was adopted.

H. B. 44—An act authorizing J. M. Vansyckle to establish a ferry at Wallula.

Bill read third time, passed and title agreed to.

H. B. 46—An act to authorize Wm. Dargrow to establish a ferry on Snake river.

On motion of Mr. Van Bokkelen,

The rules were suspended and the bill read third time passed and title agreed to.

Mr. Knapp, from Select committee, presented report relative to

H. B. 18—An act to permanently locate and build a penitentiary of the Territory of Washington.

On motion of Mr. Simmons,

The report of the committee was adopted.

On motion of Mr. Eldridge,

The bill was laid on the table.

The following report was taken up:

MR. SPEAKER—

Your committee on Federal Relations and Memorials, to whom was referred

C. J. M. 1—Remonstrating against the removal of military headquarters from Fort Vancouver to Portland,

Have had the same under consideration, and respectfully recommend its passage after striking out the words "hoping the schemes of the design (of which this is but the beginning) may be brought to naught, as your memorialists will ever pray."

F. HENRY,
Chairman.

On motion of Mr. Page,

The report of the committee was adopted.

On motion of Mr. Knapp,

C. J. M. 1—Remonstrating against the removal of military headquarters from Fort Vancouver to Portland, was read a third time and passed.

On motion of Mr. Eldridge,

The Sergeant-at-arms was instructed to procure a copy of the statutes of Washington Territory for the use of the House.

The following report was taken up:

MR. SPEAKER—

Your committee on Territorial Library, to whom was referred

H. B. 54—An act in relation to the Territorial library,

Have had the same under consideration, and have instructed me to report the same back to the House and recommend its passage with the following amendments:

Strike out in section one, third line, and insert "the Governor shall appoint."

In section twenty-four, strike out third line.

B. F. RUTH,
Chairman.

Report adopted.

Mr. Clymer moved that the rules be suspended and the bill be read a third time.

On this motion the ayes and nays were called with the following result:

Thoes who voted in the affirmative are—

Messrs. Brazee, Clymer, Eldridge, Ford, Harmon, Heckert, Hancock, Henry, McGilvra, Pollock, Page, Ruth, Simmons, Smith, Temple, Van Bokkelen and Young—17.

Those who voted in the negative are—

Messrs. Clarke, Huntington, Jesse, Kelly, Knapp, Longmire, Morgan, O'Bryant, Rees and Mr. Speaker—10.

Motion carried.

The following message was received from the Council by their Clerk:

COUNCIL CHAMBER,
January 9, 1867.

MR. SPEAKER—

I am instructed by the Council to inform the House of the introduction in the Council of the following:

C. B. 26—An act to encourage the cod fishery and provide bounty for the same.

Also the passage of

H. B. 29—An act authorizing W. A. Ball to construct a wagon road from Goose Island on Snake river to the Mullan road on the Spokane river, and to build bridges on the Palouse and Spokane rivers.

H. B. 56—An act to repeal an act entitled "an act in relation to road tax in Whatcom county.

H. J. R. 12—Relative to land warrants.

Also that the following has been reported correctly enrolled, and is herewith transmitted for the signature of the Speaker:

C. B. No. 11—An act to amend an act entitled an act to regulate fees and costs of certain officers in the counties of Kitsap, Jefferson and Stevens.

N. S. PORTER,
Chief Clerk.

Mr. Eldridge moved that the House resolve itself into the committee of the whole to take in consideration H. B. 19.

The committee arose, the chairman reported substitute adopted by the committee, and asked that the committee be discharged from further consideration of the subject.

On motion of Mr. Van Bokkelen,

The report of the committee was adopted.

On motion of Mr. Clymer,

The substitute was referred to the committee on Engrossed Bills, with instructions to print.

On motion of Mr. Van Bokkelen,

The House adjourned.

CHAS. EAGAN,
Chief Clerk.

HOUSE OF REPRESENTATIVES,
Thursday, January 10, 1867.

House met pursuant to adjournment.

Mr. Speaker in the chair.

Roll called. Present—Messrs. Clymer, Clarke, Eldridge, Ford, Hancock, Henry, Harmon, Heckert, Huntington, Jesse,

Knapp, Kelly, Longmire, Morgan McGilvra, O'Bryant, Pollock, Page, Rees, Ruth, Smith, Temple, Van Bokkelen, Young, Brazee and Simmons.

Absent—Messrs. Barstow, Jacobs and Robinson.

Prayer by the Chaplain.

Journal of yesterday read and approved.

The Speaker annonnced that he was about to sign the following:

C. B. 11—An act to amend an act entitled "an act to regulate the fees and costs of certain officers in the counties of Kitsap, Jefferson and Stevens.

H. M. No. 10—Praying for a tri-weekly service on mail route 15,407.

H. J. M. 12—Relative to Pacific Railroad.

H. J. R. 13—Relative to map of Territory and boundaries of counties.

H. B. 27—An act to authorize Patrick Farrell to construct a bridge across Hangman's creek.

H. J. M. 13—Praying the establishment of a mail route between Port Townsend, Jefferson county, and Ebey's Landing, Island county.

H. J. M. 11—Relative to establishment of mail route from Puget Sound to Wallula.

Mr. Simmons, chairman of the Judiciary committee, presented report relative to

C. B. No. 4—An act to provide for the execution and acknowledgment of deeds out of this Territory.

C. B. No. 12—An act to fix a time for holding the terms of the supreme and district courts of the Territory of Washington.

C. B. No. 9—An act to amend an act entitled, "an act to regulate marriages," passed, Jan. 20, 1866.

C. B. No. 14—An act relative to evidence in civil actions.

H. B. 7—An act in relation to license in Kitsap county.

H. B. 16—An act to amend an act entitled "an act to protect free white labor against competition with Chinese coolie

labor, and to discourage the immigration of the Chinese into this Territory."

Substitute for H. B. 32—An act relating to the care and safe keeping of insane persons.

H. B. 45—An act to amend an act entitled "an act in relation to crimes and punishments, and proceedings in criminal cases.

H. B. 43—An act relating to the specific performance of contracts.

H. B. 49—An act in relation to the duties of county auditors.

Mr. O'Bryant, from the committee on Ways and Means, presented report relative to

H. B. 34—An act relating to elections and the mode of filling vacancies.

H. M. 15—Asking increase of pay for survey of timber lands.

H. B. 40—An act to establish a code commission, appoint a commissioner and provide for his compensation.

Mr. Brazee, of Clarke, introduced

H. B. 71—An act to amend an act entitled "an act to provide for the formation of corporations for certain purposes," approved January 27, 1866.

Mr. Page, of Walla-walla, introduced

H. B. 72—An act to authorize L. Stilwell and others to construct a ditch for manufacturing purposes and irrigation in Walla-walla.

Bill read first time.

On motion of Mr. Rees,

The rules were suspended and the bill read second time by title.

On motion of Mr. Van Bokkelen,

The rules were further suspended and bill read third time, passed and title agreed to.

Mr. Knapp, of Clarke, introduced

H. B. 73—An act in relation to grand and petit jurors.

Bill read first time.

On motion of Mr. Smith,

The rules were suspended and the bill read second time by title.

On motion of Mr. Van Bokkelen,

Bill referred to committee on Judiciary with instructions to print.

Mr. Van Bokkelen, of Stevens, introduced

H. B. 74—An act to authorize T. J. Demers and others to establish a ferry on Pen-d'-oreille river.

Bill read first time.

Mr. Henry, of Thurston, presented the annual report of the Territorial Librarian.

On motion of Mr. Ford,

Report referred to committee on Territorial Library.

The following communication was received:

EXECUTIVE OFFICE,
Olympia, W. T., January 10, 1867.

HON. HENRY MILES,
Speaker of the House of Representatives:

SIR—I have the honor to notify you that on the 21st day of November, A. D., 1866, I was commissioned by the President as Governor of the Territory of Washington, and have since duly qualified according to law and entered upon the duties of the office.

I have the honor to be,
Very respectfully,
Your obedient servant,
GEORGE E. COLE,
Governor of Washington Territory.

Mr. Simmons moved that the communication be entered upon the journal.

On this motion the ayes and noes were called with the following result:

Those who voted in the affirmative are—

Messrs. Brazee, Clymer, Clarke, Eldridge, Ford, Hancock, Huntington, Henry, Harmon, Heckert, Jesse, Knapp, Kelley,

Longmire, Morgan, McGilvra, O'Bryant, Pollock, Page, Rees, Ruth, Smith, Simmons, Van Bokkelen, Young and Mr. Speaker—26.

Those who voted in the negative are—

Mr. Temple—1.

Motion carried.

Mr. Van Bokkelen moved that the clerk of this House be instructed to hand all bills for approval and communications from this House to the Honorable Geo. E. Cole, Governor of Washington Territory.

Motion carried.

Mr. Kelley, chairman of Select committee, submitted the following report:

MR. SPEAKER—

Your Special committee to whom was referred

H. B. 67—An act legalizing certain acts of the county commissioners of Pierce county,

Have had the same under consideration and report the same back and recommend its passage.

N. T. KELLEY,
Chairman.

H. B. 67—An act legalizing certain acts of the county commissioners of Pierce county, was taken up.

Mr. Ford moved to strike out section two.

Mr. McGilvra moved to amend by striking out section one.

On the amendment to the amendment the ayes and noes were called with the following result:

Those who voted in the affirmative are—

Messrs. Brazee, Hancock, Henry, Jesse, Knapp, Kelley, Longmire, McGilvra, O'Bryant, Pollock, Page, Rees, Ruth, Simmons, Van Bokkelen and Mr. Speaker—16.

Those who voted in the negative are—

Messrs. Clarke, Clymer, Eldridge, Ford, Harmon, Heckert, Huntington, Morgan, Smith, Temple and Young—11.

Motion carried.

On motion of Mr. Knapp,

The bill was laid on the table.

The following report of the Judiciary committee was taken up:

MR. SPEAKER—

The committee on Judiciary have instructed me to report back and recommend the passage of the following:

C. B. 14—An act in relation to evidence in civil actions.

Substitute for C. B. 9—An act amending an act entitled "an act to regulate marriages," approved January 20, 1866.

H. B. 45—An act to amend an act entitled an act in relation to crimes and punishments.

H. B. No. 7—An act in relation to licenses in Kitsap county.

H. B. 16—An act to amend an act entitled "an act to amend an act to protect free white labor against Chinese coolie labor."

H. B. 49—An act in relation to duties of county auditors.

H. B. 43—An act in relation to the specific performance of certain contracts.

Substitute for H. B. 32—An act to provide for the care and safe keeping of insane and idiotic persons.

A. H. SIMMONS,
Chairman.

C. B. 9—An act amending an act entitled "an act regulating marriages," approved January 20, 1866, was taken up.

Mr. Knapp introduced a substitute.

On motion of Mr. Brazee,

Substitute bill referred to committee on Judiciary.

The following message was received from the Council by their Clerk:

COUNCIL CHAMBER,
January 10, 1867.

MR. SPEAKER—

I am instructed by the Council to inform the House of the passage by the Council of the following:

C. B. 22—An act to provide for the assessing and collecting of Territorial and county revenue.

H. J. M. 14—Relative to homestead act.

H. B. 36—An act to repeal an act entitled "an act to prevent the depreciation of U. S. legal tender notes."

H. B. 38—An act to repeal an act to create the office of inspector of salmon.

C. B. 25—An act in relation to the road tax in Snohomish county.

H. B. 60—An act to amend an act to incorporate the city of Port Townsend.

N. S. PORTER,
Chief Clerk.

H. B. 49—An act to amend an act entitled "an act relating to crimes and punishments and proceedings in criminal cases," passed January 28, 1863, was taken up.

On motion of Mr. Van Bokkelen,

The rules were suspended, bill read third time, passed and title agreed to.

H. B. 7—An act in relation to license in Kitsap county, was taken up.

On motion of Mr. Young,

The rules were suspended and the bill read third time, passed and title agreed to.

H. B. 16—An act to amend an act entitled "an act to amend an act to protect free white labor against competition with Chinese coolie labor," was taken up.

Mr. Knapp moved that the bill be indefinitely postponed.

Motion lost.

On motion of Mr. Heckert,

The rules were suspended and the bill read third time.

Upon the passage of the bill the ayes and noes were called with the following result:

Those who voted in the affirmative are—

Messrs. Brazee, Clarke, Eldridge, Ford, Harmon, Kelly, Longmire, Morgan, McGilvra, Ruth, Smith, Temple, Van Bokkelen and Young—14.

Those who voted in the negative are—

Messrs. Clymer, Hancock, Henry, Heckert, Jesse, Knapp, O'Bryant, Pollock, Rees, Simmons and Mr. Speaker—11.

Bill passed.

The following message was received from the Council by their clerk:

COUNCIL CHAMBER,
January 10, 1867.

MR. SPEAKER—

I am instructed by the Council to inform the House of the introduction and passage by the Council of the following:

C. J. R. 8—Relative to reception of communication from Geo. E. Cole, Governor of Washington Territory, and that the President has appointed Messrs. Clark and Ferguson a committee on the part of the Council in accordance with the joint resolution.

N. S. PORTER,
Chief Clerk.

On motion of Mr. Henry,

The rules were suspended and the resolution taken up.

Resolution read first time.

Mr. Rees moved that the rules be further suspended and that now be assigned as the time for the second reading of the resolution.

On this motion the ayes and noes were called with the following result:

Those who voted in the affirmative are—

Messrs. Brazee, Ford, Hancock, Henry, Harmon, Heckert, Jesse, Knapp, Kelley, Longmire, McGilvra, O'Bryant, Pollock, Page, Rees, Ruth, Simmons, Van Bokkelen and Mr. Speaker—19.

Those who voted in the negative are—

Messrs. Clymer, Clarke, Eldridge, Huntington, Morgan, Smith, Temple and Young—8.

Motion carried.

Resolution read second time.

On motion of Mr. Longmire,

The rules were further suspended and the resolution read third time and passed.

The chair appointed Messrs. Van Bokkelen, Rees and Ford a committee on part of the House.

On motion of Mr. Page,

The clerk was instructed to report forthwith to the Council the passage of the resolution.

The following message was received from the Council by their clerk:

COUNCIL CHAMBER,
January 10, 1867.

MR. SPEAKER—

I am instructed by the Council to inform the House of the introduction and passage by the Council of the following:

C. J. R. 9—Relative to prisoners in Pierce county jail, and the President has appointed Messrs. Langford and Farnsworth a committee on the part of the Council in accordance therewith.

Also that the Council has indefinitely postponed

H. J. R. 14—Relative to keeping prisoners in Pierce county.

N. S. PORTER,
Chief Clerk.

H. B. 43—An act in relation to the specific performance of certain contracts, was taken up.

Mr. McGilvra moved that the bill be indefinitely postponed.

Mr. Henry moved to lay the motion on the table.

On this question the ayes and noes were called, with the following result:

Those who voted in the affirmative are—

Messrs. Brazee, Hancock, Henry, Harmon, Huntington, Jessee, Knapp, Kelly, Longmire, O'Bryant, Pollock, Page, Rees, Ruth, Simmons and Mr. Speaker—16.

Those who voted in the negative are—

Messrs. Clymer, Clarke, Eldridge, Ford, Heckert, Morgan, McGilvra, Smith, Temple, Van Bokkelen and Young—11.

Motion carried.

Mr. Rees moved that the rules be suspended and now be assigned as the time for the third reading.

On this motion the ayes and nays were called with the following result:

Those who voted in the affirmative are—

Messrs. Brazee, Hancock, Henry, Heckert, Jesse, Knapp, Kelley Longmire, O'Bryant, Pollock, Page, Rees, Ruth, Simmons, Van Bokkelen and Mr. Speaker—16.

Those who voted in the negative are—

Messrs. Clymer, Clarke, Eldridge, Ford, Harmon, Huntington, Morgan, McGilvra, Smith, Temple and Young—11.

Motion carried.

H. B. 32—An act relating to the care and keeping of insane and idiotic persons, was taken up.

On motion of Mr. McGilvra,

The bill was laid on the table.

Mr. Henry moved to suspend the rules in order to take from the table

C. J. R. 9—Relative to treatment of prisoners in Pierce county jail.

Motion carried.

Resolution read first time.

On motion of Mr. Kelley,

The rules were suspended and the resolution read second time.

On motion of Mr. Kelley,

The rules were further suspended and the resolution read third time and passed.

The chair appointed Messrs. Page, Van Bokkelen and Ford a committee on part of the House.

On motion of Mr. Eldridge,

The House adjourned.

CHAS. EAGAN,
Chief Clerk.

HOUSE OF REPRESENTATIVES,
Friday, January 11, 1867.

House met pursuant to adjournment.

Mr. Speaker in the chair.

Roll called. Present—Messrs. Brazee, Clymer, Clarke, Eldridge, Hancock, Henry, Harmon, Heckert, Huntington, Jesse, Knapp, Kelly, Longmire, Morgan, McGilvra, O'Bryant, Pollock, Rees, Ruth, Simmons Smith, Temple and Young.

Absent—Messrs. Barstow, Jacobs and Robinson.

Messrs. Page, Ford and Van Bokkelen absent on leave.

Prayer by the Chaplain.

Journal of yesterday read and approved.

Mr. Hancock, chairman of committee on Counties, presented report relative to

H. B. 69—An act to repeal an act for the preservation of game.

H. B. 52—An act to repeal certain acts in relation to license in Clarke county.

H. B. 13—An act to amend an act relating to the support of the poor.

H. B. No. 6—An act relative to fences and fence viewers.

Mr. O'Bryant, from committee on Ways and Means, presented report relative to

Substitute for H. B. 66—An act for the relief of R. H. Hewitt and John M. Murphy.

H. B. 39—An act in relation to taxing stock.

H. B. 33—To regulate the rate of interest on money and to prevent and punish usury.

Mr. Rees, from committee on Elections, presented report relative to

H. B. 12—An act to amend an act to regulate fees and costs.

Mr. Page, from committee on Enrolled Bills, submitted the following report:

MR. SPEAKER—

Your committee on Enrolled Bills have examined the following bills, and find the same correctly enrolled:

H. B. No. 4—An act to authorize D. J. Schnebley to construct a bridge across the Spokane river.

H. B. 56—An act to repeal an act entitled "an act in relation to road tax in Whatcom county.

H. J. R. 12—Relative to land warrants.

THOS. P. PAGE,
Chairman.

Mr. Rees, from Select committee, presented the following report:

MR. SPEAKER—

The joint committee appointed to wait upon his Excellency Governor Cole, and receive and welcome him to the Territory, and to inform him of the readiness of the Legislative Assembly to receive any communication or suggestion he might be pleased to make, have discharged the duty assigned them, and have instructed me to report that the Governor, after expressing his appreciation of the courtesy extended to him, informed your committee that he had not at present any communication to make.

J. J. H. VAN BOKKELEN,
Chairman.

On motion of Mr. Simmons,

The report of the committee was adopted.

Mr. Simmons, of Klickitat, introduced

H. B. 75—An act to repeal an act entitled "an act relative to the county of Skamania."

Bill read first time.

On motion of Mr. Simmons,

The rules were suspended and the bill read second time by title.

On motion of Mr. Longmire,

The rules were further suspended and the bill read third time, passed and title agreed to.

Mr. Clymer, of King, introduced

H. B. 76—An act in relation to boats navigating Black river, in King county.

Bill read first time.

H. B. 74—An act to authorize T. J. Demers to establish a ferry.

Bill read second time.

On motion of Mr. Smith,

Bill laid over till regular order.

C. B. No. 14—An act relative to evidence in civil actions, was laid over.

Mr. O'Bryant, from committee on Ways Means and Claims, submitted the following report:

MR. SPEAKER—

The committee on Ways Means and Claims, to whom was referred the account of the sheriff of Clarke county, having had the same under consideration, ask leave to report by bill.

H. D. O'BRYANT,
Chairman.

H. B. 77—An act for the relief of H. C. Morse, sheriff of Clarke county.

Bill read first time.

H. B. 13—An act to amend an act entitled "an act relating to the support of the poor," was taken up.

On motion of Mr. Smith,

The bill was laid upon the table.

H. B. 6—An act in relation to fence and fence viewers, was taken up.

On motion of Mr. Eldridge,

The bill was laid on the table.

C. B. No. 12—An act to fix the time for holding the terms of the supreme and district courts of the Territory of Washington, was taken up.

On motion of Mr. Simmons,

The bill was laid on the table.

H. B. 1—Substitute—An act to restrain and license dance and hurdy gurdy houses, was taken up with Council amendment.

On motion of Mr. Eldridge,

The House concurred in Council amendment.

C. B. 24—An act to amend an act to incorporate the town of Olympia, was taken up.

Bill read first time.

On motion of Mr. Brazee,

The rules were suspended and the bill read second time by title.

On motion of Mr. Eldridge,

Bill referred to Thurston county delegation.

C. B. 25—An act in relation to road tax in Snohomish county.

Bill read first time.

On motion of Mr. Clarke,

The rules were suspended and the bill read second time by title.

On motion of Mr. Smith,

The bill was laid on the table.

C. B. 20—An act in relation to landlord and tenant.

Bill read first time.

On motion of Mr. Van Bokkelen,

The rules were suspended and the bill read second time by title.

On motion of Mr. Young,

Bill referred to committee on Judiciary.

C. B. 21—An act to amend an act entitled "an act to provide for the formation of corporations for certain purposes."

Bill read first time.

Substitute for C. B. 17—An act in relation to attachments in civil actions.

Bill read first time.

C. B. 22—An act to provide for the assessing and collecting of Territorial and county revenue.

Bill read first time.

On motion of Mr. Smith,

The rules were suspended and the bill read second time by title.

On motion of Mr. Heckert,

Bill referred to committee on Judiciary.

On motion of Mr. Morgan,

The House adjourned until January 14th.

CHAS. EAGAN,
Chief Clerk.

HOUSE OF REPRESENTATIVES,
Monday, January 14, 1867.

House met pursuant to adjournment.

Mr. Speaker in the chair.

Roll called. Present—Messrs. Brazee, Clymer, Clarke, Eldridge, Ford, Hancock, Henry, Harmon, Heckert, Huntington, Jesse, Knapp, Kelly, Longmire, Morgan McGilvra, O'Bryant, Pollock, Page, Rees, Ruth, Robinson, Smith, Simmons, Temple, Van Bokkelen and Young.

Absent—Messrs. Barstow and Jacobs.

Prayer by the Chaplain.

Journal of Friday read and approved.

The Speaker announced that he was about to sign the following:

H. J. R. 12—Relative to land warrants.

H. B. No. 4—An act to authorize D. J. Schnebley to construct a bridge across Spokane river.

H. B. 56—An act to repeal an act entitled an act in relation to road tax in Whatcom county.

The Speaker gave notice that the following had been transmitted to the Governor for approval:

H. B. 23—An act to amend an act entitled "an act to amend an act entitled an act to provide for the assessing and collecting of Territorial and county revenue," so far as relates to Lewis county."

H. B. No. 10—An act to amend an act entitled, "an act in relation to license in King county."

Mr. Simmons, chairman of the Judiciary committee, presented report relative to

H. B. 30—An act to provide for the election of county commissioners and defining their duties.

H. B. 70—An act to amend an act entitled "an act defining the jurisdiction and practice in the probate courts in Washington Territory."

H. B. 9—An act to amend an act entitled "an act to authorize Antoine Plant to establish a ferry on Spokane river."

H. B. 73—An act in relation to grand and petit jurors.

H. B. 34—An act relating to elections and the mode of filling vacancies.

Mr. Ruth, from committee on Library, Public Buildings and Grounds, presented report relative to the library.

Mr. Kelley, from committee on Education, presented report relative to

H. B. 41—An act establishing a common school system for the Territory of Washington.

H. B. 48—An act to repeal an act in relation to sale of school lands.

H. B. No. 7—An act in relation to licenses in Kitsap county.

H. B. No. 11—An act to secure to orphans and other children in the Territory of Washington a common school education.

Mr. Pollock, from committee on Agriculture, presented report relative to

H. B. No. 15—An act to amend an act entitled "an act to protect sheep and wool growers."

Mr. Longmire, from Select committee, presented report relative to

H. B. 24—An act for the payment of Levi Farnsworth, exploring commissioner.

Mr. McGilvra, from committee on Engrossed Bills, presented report relative to

H. B. 19—An act in relation to the construction of roads and highways in Washington Territory, and defining the duties of road supervisors.

The following message was received from his Excellency Governor Cole:

EXECUTIVE OFFICE,
Olympia, W. T., January 11, 1867.

HON. HENRY MILES,
Speaker of the House of Representatives:

SIR—I have the honor to inform your honorable body that I have examined, approved and caused to be filed in the office of the Secretary of the Territory, the following Legislative acts, to-wit:

H. B. 23—An act to amend an act entitled an act to amend an act to provide for the assessing and collecting of Territorial and county revenue so far as it relates to Lewis county.

An act to amend an act entitled an act in relation to license in King county.

I have the honor to be,
Very respectfully,
Your obedient servant,
GEORGE E. COLE,
Governor of Washington Territory.

Mr. Morgan, of Jefferson, introduced

H. B. 78—An act for the relief of Jefferson county.

Bill read first time.

Mr. Van Bokkelen, of Stevens, introduced

H. B. 79—An act for the relief of Stevens county.
Bill read first time.

Mr. Knapp, of Clarke, introduced
H. J. R. 9—Relative to printing certain acts.
Bill read first time.

Mr. Morgan, of Jefferson, introduced

H. J. R. 17—Relative to the introduction of new business.
Resolution read first time.

On motion of Mr. Van Bokkelen,

The resolution was laid on the table.

Mr. Van Bokkelen presented report relative to
H. B. No. 14—An act for the relief of Isaac L. Roberts.

Second reading of bills.

Substitute for C. B. 17—An act in relation to attachments in civil actions.

Bill read second time.

On motion of Mr. Clarke,

Bill referred to committee on Judiciary.

H. B. 71—An act to amend an act entitled "an act to provide for the formation of corporations for certain purposes," approved January 27, 1866.

Bill read second time.

On motion of Mr. Simmons,

The bill was referred to committee on Corporations.

On motion of Mr. Kelley,

The House adjourned.

CHAS. EAGAN,
Chief Clerk.

HOUSE OF REPRESENTATIVES,
Tuesday, January 15, 1867.

House met pursuant to adjournment.

Mr. Speaker in the chair.

Roll called. Present—Messrs. Brazee, Clymer, Clarke, Eldridge, Ford, Hancock, Henry, Harmon, Heckert, Huntington, Jesse, Knapp, Kelly, Longmire, Morgan McGilvra, O'Bryant, Pollock, Page, Rees, Ruth, Robinson, Smith, Simmons, Temple, Van Bokkelen and Young.

Absent—Messrs. Barstow and Jacobs.

Prayer by the Chaplain.

Journal of yesterday read and approved.

Mr. Page, from committee on Enrolled Bills, submitted the following report:

MR. SPEAKER—

Your committee on Enrolled Bills have compared the following, and find them correctly enrolled:

H. J. M. 4—Praying for an appropriation for building a Custom House and Marine Hospital at Port Townsend.

H. B. 29—An act authorizing W. A. Ball to construct a wagon road from Goose Island on Snake river, to the Mullan road on the Spokane river, and to build bridges on the Spokane and Palouse rivers.

H. B. 36—An act to repeal an act entitled "an act to prevent the depreciation of U. S. legal tender notes."

H. J. M. 14—Relative to homestead act.

H. B. 38—An act to repeal an act to create the office of inspector of salmon.

H. B. 60—An act to amend an act to incorporate the city of Port Townsend, Jefferson county, W. T., passed January 16, 1860, and to repeal all other acts in relation thereto.

THOS. P. PAGE,
Chairman.

Mr. Van Bokkelen, from Select committee, presented report relative to

H. J. R. 13—Relative to map of Territory and boundaries of counties.

Mr. Robinson, from committee on Commerce, presented report relative to

H. B. 57—An act to provide for the removal of obstructions to navigation on Chehalis river.

Mr. McGilvra, from committee on Engrossed Bills, presented report relative to

H. B. 63—An act to provide for the assessing and collecting of Territorial and school revenue.

H. B. 64—An act appropriating money to aid in the construction and repair of certain roads.

Mr. Henry, of Thurston, introduced

H. J. M. 17—Asking change of schedule time on mail rou e No connecting Portland and Monticello.

Memorial read first time.

The Speaker announced that he was about to sign the following:

H. B. 38—An act to repeal an act entitled "an act to create and regulate the office of Inspector of salmon."

H. J. M. 4—Praying for an appropriation for building a custom house and marine hospital at Port Townsend, for collection district number 103, Puget Sound.

H. B. 60—An act to amend an act to incorporate the city of Port Townsend, Jefferson county, W. T., passed January 16, 1860, and to repeal all other acts in relation thereto.

H. B. 29—An act authorizing W. A. Ball to construct a wagon road from Goose Island on Snake river to the Mullan road on the Spokane river, and to build bridges on the Palouse and Spokane rivers.

H. J. M. 14—Relative to the homestead act.

H. B. 36—An act to repeal an act entitled an act to prevent the depreciation of United States legal tender notes.

Mr. Van Bokkelen, of Stevens, introduced

H. B. 80—An act defining the county lines of Washington Territory.

Bill read first time.

Mr. Page, of Walla-walla, introduced

H. B. 81—An act legalizing certain acts of the county commissioners of Walla-walla county.

Bill read first time.

On motion of Mr. O'Bryant,

The rules were suspended and the bill read second time by title.

On motion of Mr. Van Bokkelen,

The rules were further suspended and the bill read third time, passed and title agreed to.

Mr. Harmon, of Island, introduced

H. B. 82—An act to repeal an act entitled "an act in relation to dogs in Island county.

Bill read first time.

On motion of Mr. Smith,

The rules were suspended and the bill read second time by title.

On motion of Mr. Van Bokkelen,

The rules were further suspended and the bill read third time, passed and title agreed to.

Mr. Morgan, of Jefferson, introduced

H. B. 83—An act supplemental to an act entitled "an act to amend an act to incorporate the city of Port Townsend."

Bill read first time.

On motion of Mr. Ford,

The rules were suspended and the bill read second time by title.

On motion of Mr. Van Bokkelen,

Bill referred to the Jefferson county delegation, with instructions to print.

Mr. Van Bokkelen presented report relative to the condition of the armory of Washington Territory.

Second reading of bills.

H. B. 78—An act for the relief of Jefferson county.

Bill read second time.

On motion of Mr. Robinson,

Bill referred to committee on Ways, Means and Claims.

H. J. R. 17—Relative to introduction of new business.

Resolution read second time.

On motion of Mr. Simmons,

Resolution laid upon the table until the 25th of January, 1867.

Substitute for H. B. 79—An act for the relief of Stevens county.

Bill read second time.

On motion of Mr. Van Bokkelen,

Bill referred to committee on Ways, Means and Claims.

H. B. 76—An act in relation to boats navigating Black river, in King county.

Bill read second time.

On motion of Mr. Eldridge,

Bill referred to committee on Commerce.

H. B. 77—An act for the relief of H. C. Morse, sheriff of Clarke county.

Bill read second time.

On motion of Mr. Simmons,

Bill referred to committee on Ways, Means and Claims.

C. B. 21—An act to amend an act entitled "an act to provide for the formation of corporations for certain purposes."

Bill read second time.

On motion of Mr. Simmons,

Bill referred to committee on Corporations.

The following report was taken up:

MR. SPEAKER—

The committee on Ways Means and Claims, to whom was referred

H. B. 39—An act in relation to taxing stock,

Have had the same under consideration and report the same back and recommend its passage.

H. D. O'BRYANT,
Chairman.

On motion of Mr. Longmire,

Report of committee adopted.

H. B. 39—An act in relation to taxing stock, with report, was taken up and read second time.

On motion of Mr. Simmons,

The rules were suspended and the bill read third time, passed and title agreed to.

The following report was taken from the table:

MR. SPEAKER—

Your committee on Ways Means and Claims, to whom was referred

H. B. 66—An act for the relief of R. H. Hewitt,

Have the same under consideration, and direct me to report the same back and recommend its passage.

H. D. O'BRYANT,
Chairman.

On motion of Mr. Eldridge,

The report of the committee was adopted.

H. B. 66—An act for the relief of Randall Hewitt.

Bill read second time.

On motion of Mr. Eldridge,

Bill referred to committee on Ways Means and Claims.

The following report was taken from the table.

MR. SPEAKER—

Your committee on Ways Means and Claims, to whom was referred

H. B. 33—To regulate the rate of interest on money and to prevent and punish usury,

Have had the same under consideration, and have instructed me to report the same back and recommend that it do not pass.

H. D. O'BRYANT,
Chairman.

On motion of Mr. Ford,

The report of the committee was adopted.

H. B. 33—An act to regulate the rate of interest on money and to prevent and punish usury.

Bill read second time.

H. B. 69—An act to repeal an act for the preservation of game, with report of committee, was taken up.

On motion of Mr. McGilvra,

The bill was laid upon the table and ordered printed.

Mr. Hancock, chairman of committee on Counties, submitted the following report:

MR. SPEAKER—

Your committee on Counties, to was referred

H. B. 52—An act to repeal certain acts in relation to license in Clarke county,

Have had the same under consideration, and ask leave to report the bill back and recommend its passage.

LEE HANCOCK,
Chairman.

H. B. 52—An act to repeal certain acts in relation to license in Clarke county.

Bill read second time.

The following message was received from the Council by their clerk:

COUNCIL CHAMBER,
January 15, 1867.

MR. SPEAKER—

I am instructed by the Council to inform the House of the introduction and passage by the Council of the following:

C. B. 29—An act authorizing the school directors of school

district number six in Clarke county, W. T., to levy a special tax for school purposes.

C. B. 30—An act to provide for the organization of a fire department in Vancouver, Clarke county.

C. J. M. 4—Relative to the homestead and pre-emption acts.

Also of the passage of

H. B. 9—An act to amend an act to authorize Antoine Plant to establish a ferry on Spokane river.

H. J. M. 16—Asking indemnity for property destroyed during the Indian war of 1855-6.

Also the introduction of

C. B. 28—An act to appropriate money for the making of a map of the Territory.

Also that the President has signed the following:

H. J. M. 13—Relative to establishing mail route from Port Townsend to Ebey's landing.

H. J. M. 12—Relative to the Northern Pacific Railroad.

H. J. M. 10—Praying for semi-weekly service on mail route No. 15,407.

H. M. 11—Relative to mail route from Puget Sound to Wallula.

H. J. M. 13—Praying the establishment of a mail route between Port Townsend, Jefferson county, and Ebey's Landing, Island county.

H. J. M. 11—Relative to establishment of mail route from Puget Sound to Wallula.

H. M. No. 10—Praying for a tri-weekly service on mail route 15,407.

H. J. M. 12—Relative to Pacific Railroad.

H. J. R. 13—Relative to map of Territory and boundaries of counties.

N. S. PORTER,
Chief Clerk.

Mr. Rees, chairman of committee on Elections, submitted the following report:

MR. SPEAKER—

Your committee on Elections, to whom was referred

H. B. 12—An act to amend an act to regulate fees and costs,

Have had the same under consideration, and instruct me to report the same back to the House and recommend its passage.

R. R. REES,
Chairman.

H. B. No. 12—An act to amend an act entitled "an act to regulate fees and costs."

The rules were suspended and the bill read second time by title.

On motion of Mr. Brazee,

The rules were further suspended and the bill read third time, passed and title agreed to.

Mr. Knapp in the chair.

C. B. No. 14—An act relative to evidence in civil actions.

Bill read second time.

H. B. 43—An act relating to the specific performance of contracts.

Bill read second time.

On motion of Mr. Miles,

The rules were suspended, and the bill read third time.

Upon the passage of the bill the ayes and noes were called with the following result:

Those who voted in the affirmative are—

Messrs. Brazee, Hancock, Henry, Heckert, Jesse, Knapp, Kelly, Longmire, O'Bryant, Pollock, Page, Rees, Ruth, Simmons and Mr. Speaker—15.

Those who voted in the negative are—

Messrs. Clymer, Clarke, Eldridge, Ford, Harmon, Huntington, Morgan, McGilvra, Robinson, Smith, Temple, Van Bokkelen and Young—13.

Bill passed and title agreed to.

The following message was received from the Council by their Clerk:

COUNCIL CHAMBER,
January 15, 1867.

MR. SPEAKER—

I am instructed by the Council to inform the House of the introduction and passage by the Council of the following:

C. J. R. 10—Relative to the Territorial auditor's and treasurer's reports.

N. S. PORTER,
Chief Clerk.

H. B. 9—An act to amend an act entitled "an act to authorize Antoine Plant to establish a ferry on Spokane river," was taken up.

On motion of Mr. McGilvra,

Substitute was adopted.

Bill read first time.

On motion of Mr. Eldridge,

The rules were suspended and the bill read second time by title.

On motion of Mr. Longmire,

The rules were further suspended and the bill read third time, passed and title agreed to.

Mr. Van Bokkelen, from committee on Military Affairs, submitted the following report:

MR. SPEAKER—

Your committee on Military Affairs beg leave to report that they have, in company with the Military Committee of the Council, examined the armory of the Territory, and report as follows:

That the place in which the public arms are at present kept. is not a suitable place for the same.

We found in the armory the following:

Three mountain howitzers, with harness and accoutrements complete. We were informed by the Quartermaster General that there was one howitzer at Port Townsend.

Thirty-four rifled muskets with accoutrements.

Twenty-eight rifle muskets at Snoqualmie falls, sent there by Hon. William Pickering, late Governor of this Territory.

One hundred and forty old fashioned muskets with accoutrements.

Four book cases and two boxes containing papers relating to the Indian war of 1855-6.

Your committee would recommend that the arms be distributed to the counties of this Territory, and that the papers be removed to one of the committee rooms adjoining the Council chamber for safe keeping.

J. J. H. VAN BOKKELEN,
Chairman.

Resolution, on motion, adopted.

On motion of Mr. Eldridge,

The committee on Military Affairs were instructed to report by bill or resolution the requirements of the report.

Mr. McGilvra, from committee on Engrossed Bills submitted the following report:

MR. SPEAKER—

Your committee to whom was referred

H. B. 64—An act appropriating money to aid in the construction and repair of certain roads,

Have had the same under advisement, and directed me to report the same back with the following amendments:

By striking out sections 2, 3 and 5, and by striking out the word "Pierce," in the second line of the seventh section, and inserting the word "and" in the place thereof; and by striking out the words "Lewis, Cowlitz and Clarke," in the third line of the same section, and recommend its passage.

JOHN J. McGILVRA,
Chairman.

On motion of Mr. Clymer,

The report of the committee was adopted.

H. B. 64—An act to appropriate money to aid in the construction and repair of certain roads.

Mr. Rees moved that the bill be indefinitely postponed.

Hon. Levi Farnsworth was invited within the bar to give information relative to the location of a certain road.

Upon the question of the indefinite postponement of the bill, the ayes and noes were called with the following result:

Those who voted in the affirmative are—

Messrs. Brazee, Hancock, Henry, Jesse, Knapp, Kelley, O'Bryant, Pollock, Page, Rees and Simmons—11.

Those who voted in the negative are—

Messrs. Clymer, Clarke, Eldridge, Ford, Harmon, Heckert, Huntington, Longmire, Morgan, McGilvra, Ruth, Robinson, Smith, Temple, Van Bokkelen, Young and Mr. Speaker—17.

Motion lost.

Mr. Eldridge moved that the rules be suspended and now be assigned as the time for the third reading of the bill.

Mr. Clarke moved to adjourn.

Motion lost.

Mr. Knapp moved to lay the motion of Mr. Eldridge on the table.

On this motion the ayes and nays were called with the following result:

Those who voted in the affirmative are—

Messrs. Brazee, Clarke, Hancock, Henry, Huntington, Jesse, Knapp, Kelley, O'Bryant, Pollock, Page, Rees and Simmons–13.

Those who voted in the negative are—

Messrs. Clymer, Eldridge, Ford, Harmon, Heckert, Longmire, McGilvra, Morgan, Ruth, Smith, Temple, Van Bokkelen, Young, Robinson and Mr. Speaker—15.

Motion lost.

Mr. Eldridge called for the previous question.

The question was, "Shall the main question now be put?"

House decided in the affirmative.

On this question the ayes and noes were called, with the following result:

Those who voted in the affirmative are—

Messrs. Clymer, Eldridge, Ford, Heckert, Hancock, Harmon, Huntington, Longmire, Morgan, McGilvra, Ruth, Robinson, Smith, Temple, Van Bokkelen, Young and Mr. Speaker—17.

Those who voted in the negative are—

Messrs. Brazee, Clarke, Henry, Jesse, Knapp, Kelley, O'Bryant, Pollock, Page, Rees and Simmons—11.

House refused to suspend the rules.

On motion of Mr. McGilvra,

The House adjourned.

CHAS. EAGAN,
Chief Clerk.

HOUSE OF REPRESENTATIVES,
Wednesday, January 16, 1867.

House met pursuant to adjournment.

Mr. Speaker in the chair.

Roll called. Present—Messrs. Brazee, Clymer, Clarke, Eldridge, Ford, Hancock, Henry, Harmon, Heckert, Huntington, Jesse, Knapp, Kelly, Longmire, Morgan McGilvra, O'Bryant, Pollock, Page, Rees, Ruth, Robinson, Smith, Simmons, Temple, Van Bokkelen and Young.

Absent—Messrs. Barstow and Jacobs.

Prayer by the Chaplain.

Journal of yesterday read and approved.

Mr. Brazee, from committee on Corporations, presented report relative to

H. B. 71—An act to amend an act entitled "an act to provide for the formation of corporations for certain purposes," approved January 27, 1866.

Mr. Robinson, from committee on Commerce, presented report relative to

H. B. 76—An act in relation to boats navigating Black river, in King county.

Mr. Page, from Select committee, presented report relative to Pierce county jail.

Mr. Rees, of Walla-walla, introduced

H. B. 84—An act creating the city of Walla-walla a road district.

Bill read first time.

Mr. Young, of Kitsap, introduced

H. B. 85—An act relative to the county seat of Kitsap county.

Bill read first time.

Mr. Temple moved that the rules be suspended, and now be assigned as the time for the second reading of the bill.

Motion carried.

Bill read second time.

Mr. Van Bokkelen moved that the rules be suspended, and now be assigned as the time for the third reading of the bill.

Motion carried.

The rules were suspended and the bill read third time, passed and title agreed to.

Mr. Miles, of Lewis, introduced

H. B. 86—An act appropriating money to aid in the construction and repair of the road between Olympia and Monticello.

Bill read first time.

On motion of Mr. Smith,

The rules were suspended and the bill read second time by title.

On motion of Mr. Simmons,

Bill referred to committee on Roads and Highways.

Mr. Pollock in the chair.

Mr. Page, of Walla-walla, introduced

H. B. 87—An act to amend an act to regulate fees and costs, passed January 28, 1863.

Bill read first time.

On motion of Mr. Smith,

The rules were suspended and the bill read second time by title.

On motion of Mr. Van Bokkelen,

The rules were further suspended and bill read third time, passed and title agreed to.

Mr. Ruth, of Thurston, introduced

H. B. 88—An act to amend an act entitled "an act to provide for the assessing and collecting Territorial and county revenue," passed January 29, 1864.

Bill read first time.

On motion of Mr. Knapp,

The rules were suspended and the bill read second time by title.

On motion of Mr. Longmire,

Bill referred to committee on Judiciary.

Mr. Eldridge, of Whatcom, introduced

H. B. 89—An act in relation to Skagit mining district.

Bill read first time.

On motion of Mr. Eldridge,

The rules were suspended and the bill read second time by title.

On motion of Mr. Ford,

The rules were further suspended and the bill read third time, passed and title agreed to.

Mr. Eldridge, of Whatcom, introduced

H. B. 90—An act to provide a district recorder for Skagit mining district.

Bill read first time.

On motion of Mr. Harmon,

The rules were suspended and the bill read second time by title.

On motion of Mr. Longmire,

The rules were further suspended and the bill read third time, passed and title agreed to.

Mr. Page, of Walla-walla, introduced

H. B. 91—An act to locate the capitol of Washington Territory.

Bill read first time.

On motion of Mr. Smith,

The rules were suspended and the bill read second time by title.

Mr. Longmire moved the indefinite postponement of the bill.

Mr. Eldridge moved to lay the bill on the table and make it the special order for Jan. 30, 1867.

On this motion the ayes and noes were called with the following result:

Those who voted in the affirmative are—

Messrs. Clymer, Eldridge, Hancock, Henry, Heckert, Huntington, Kelley, Longmire, McGilvra, Ruth, Smith, Young and Mr. Speaker—13.

Those who voted in the negative are—

Messrs. Brazee, Clarke, Ford, Harmon, Jesse, Knapp, Morgan, O'Bryant, Pollock, Page, Rees, Robinson, Simmons and Van Bokkelen—14.

Motion lost.

Mr. McGilvra moved to refer to committee on Public Grounds and Buildings.

Motion lost.

On motion of Mr. Rees,

The bill was laid on the table.

On motion of Mr. McGilvra,

Substitute for H. B. 32—An act relating to the care and safe keeping of insane persons, was laid over to regular order.

On motion of Mr. Clarke,

H. B. 18—An act to permanently locate the penitentiary of Washington Territory, was taken up.

The following message was received from the Council by their clerk:

COUNCIL CHAMBER,
January 16, 1867.

MR. SPEAKER—

I am instructed by the Council to inform the House of the passage by the Council of the following:

C. J. M. 3—Asking certain persons in Pierce and Lewis counties to be confirmed in their titles to their claims.

C. J. R. 5—Relative to extension of Public surveys.

C. J. R. 7—Relative to certain regimental colors.

Substitute for C. B. 27—An act for the relief of Kitsap county.

H. B. 7—An act in relation to license in Kitsap county.

H. B. 49—An act in relation to the duties of county auditors.

H. B. 50—An act to appoint viewers to review and relocate that part of the Territorial road leading from Monticello to the Upper Cascades, which lies between Vancouver and the foot of Cape Horn mountain.

H. B. 16—An act to amend an act entitled "an act to protect free white labor against competition with Chinese coolie labor, and to discourage the immigration of the Chinese into this Territory."

Also that the President of the Council has signed the following:

H. J. R. 12—Relative to land warrants.

H. J. R. 13—Relative to map of Territory and boundaries of counties.

H. J. M. 4—Praying for an appropriation for building a custom house and marine hospital at Port Townsend, for collection district number 103, Puget Sound.

H. J. M. 8—Praying that vessels of war be stationed on Puget Sound.

H. J. M. 9—Praying for a right of way across the military reserve at Port Townsend.

H. J. M. 14—Relative to the homestead act.

H. B. No. 4—An act to authorize D. J. Schnebley to construct a bridge across the Spokane river.

H. B. 8—An act to revive an act to locate a Territorial road from Skaget Head to Deception Pass in Island county, approved January 21, 1865.

H. B. 21—An act to authorize Wm. Ranck, his heirs or assigns to construct a fishery and build a road in Clarke county.

H. B. 22—An act to repeal an act entitled "an act to incorporate the town of Seattle."

H. B. 26—An act to incorporate Mill Plain Cemetery.

H. B. 27—An act to authorize Patrick Farrell to construct a bridge across Hangman's creek.

H. B. 29—An act authorizing W. A. Ball to construct a wagon road from Goose Island on Snake river to the Mullan road on the Spokane river, and to build bridges on the Palouse and Spokane rivers.

H. B. 36—An act to repeal an act entitled "an act to prevent the depreciation of U. S. legal tender notes."

H. B. 38—An act to repeal an act entitled "an act to create and regulate the office of Inspector of salmon."

H. B. 56—An act to repeal an act entitled "an act in relation to road tax in Whatcom county.

H. B. 60—An act to amend an act to incorporate the city of Port Townsend, Jefferson county, W. T., passed January 16, 1860, and to repeal all other acts in relation thereto.

N. S. PORTER,
Chief Clerk.

Mr. Knapp in the chair.

On motion of Mr. Clarke,

The bill was read third time.

Mr. Miles moved an amendment.

On motion of Mr. Simmons,

The amendment was laid on the table.

On the final passage of the bill the ayes and noes were demanded, with the following result:

Those who voted in the affirmative are—

Messrs. Brazee, Ford, Hancock, Henry, Harmon, Heckert, Jesse, Knapp, Kelley, Longmire, McGilvra, O'Bryant, Pollock,

Page, Rees, Ruth, Simmons, Van Bokkelen, Clymer, Clarke, Eldridge, Huntington, Morgan, Smith and Temple—26.

Those who voted in the negative are—

Messrs. Young and Mr. Speaker—2.

Bill passed and title agreed to.

Mr. Hancock, chairman of committee on Counties, subted the following report:

MR. SPEAKER—

Your committee on Counties, to whom was referred

H. B. 69—An act to repeal an act for the preservation of game,

Have had the same under consideration, and ask leave to report the bill back and recommend its passage.

LEE HANCOCK,
Chairman.

H. B. 69—An act to repeal an act for the preservation of game, was laid over till regular order.

Mr. Simmons, of Klickitat, introduced

H. B. 92—An act to appoint officers and locate the county seat of Yakima county.

Bill read first time.

Mr. Robinson presented report relative to

H. B. 83—An act supplemental to an act entitled "an act to amend an act to incorporate the city of Port Townsend."

Second reading of bills.

H. J. M. 17—Asking change of schedule time on mail route No connecting Portland and Monticello.

Memorial read second time.

On motion of Mr. Van Bokkelen,

Memorial referred to delegation from Cowlitz and Thurston counties.

H. B. 80—An act defining the county lines of Washington Territory.

Bill read second time.

On motion of Mr. Knapp,

Bill referred to committee on Counties.

The following report was taken from the table:

MR. SPEAKER—

Your committee on Agriculture to whom was referred

H. B. 53—An act amendatory of an act entitled "an act for the preservation of game,"

Have considered the same, and have instructed me to recommend that it be indefinitely postponed.

J. POLLOCK,
Chairman.

On motion of Mr. Robinson,

H. B. 53—An act to amend an act entitled "an act for the preservation of game," was taken up.

On motion of Mr. Van Bokkelen,

The rules were suspended, bill read third time, passed and title agreed to.

H. B. 61—An act appropriating money to aid in the construction and repair of certain roads, was taken up.

Mr. Knapp offered an amendment.

Mr. McGlivra moved to lay the amendment on the table.

On this motion the ayes and noes were called with the following result:

Those who voted in the affirmative are—

Messrs. Clymer, Eldridge, Ford, Harmon, Huntington, Longmire, Morgan, McGilvra, Ruth, Robinson, Smith, Temple, Van Bokkelen, Young and Mr. Speaker—15.

Those who voted in the negative are—

Messrs. Brazee, Clarke, Hancock, Henry, Heckert, Jesse, Knapp, Kelly, O'Bryant, Pollock, Page, Rees, and Simmons—13.

Motion carried.

Mr. Brazee offered an amendment.

Mr. Eldridge moved to lay the amendment on the table.

On this motion the ayes and nays were called with the following result:

Those who voted in the affirmative are—

Messrs. Clymer, Eldridge, Ford, Harmon, Heckert, Hunt-

ington, Longmire, McGilvra, Morgan, Ruth, Robinson, Smith, Temple, Van Bokkelen, Young and Mr. Speaker—16.

Those who voted in the negative are—

Messrs. Brazee, Clarke, Hancock, Henry, Jesse, Knapp, Kelley, O'Bryant, Pollock, Page, Rees and Simmons—12.

Amendment laid on the table.

On the final passage of the bill the ayes and noes were called, with the following result:

Those who voted in the affirmative are—

Messrs. Clymer, Eldridge, Ford, Harmon, Heckert, Huntington, Longmire, Morgan, McGilvra, Ruth, Robinson, Smith, Temple, Van Bokkelen, Young and Mr. Speaker—16.

Those who voted in the negative are—

Messrs. Brazee, Clarke, Hancock, Henry, Jesse, Knapp, Kelley, O'Bryant, Pollock, Page, Rees and Simmons—12.

Bill passed and title agreed to.

C. B. No. 14—An act relative to evidence in civil actions.

The rules were suspended and the bill read third time, passed and title agreed to.

H. B. 52—An act to repeal certain acts in relation to license in Clarke county.

Bill read third time, passed and title agreed to.

H. B. 33—An act to regulate the rate of interest on money and to prevent and punish usury.

Bill read third time.

Upon the passage of the bill the ayes and noes were called with the following result:

Those who voted in the affirmative are—

Messrs. Clymer, Clarke, Ford, Harmon, Huntington, Smith and Temple—7.

Those who voted in the negative are—

Messrs. Brazee, Eldridge, Heckert, Hancock, Henry, Jesse, Knapp, Kelley, Longmire, Morgan, McGilvra, O'Bryant, Pollock, Page, Rees, Ruth, Robinson, Simmons, Van Bokkelen, Young and Mr. Speaker—21.

Bill lost on its final passage.

Mr. Henry in the chair.

Bills and other business on the table.

H. B. 24—An act for the payment of Levi Farnsworth, exploring commissioner, was taken up.

On motion of Mr. McGilvra,

The rules were suspended and the bill read third time, passed and title agreed to.

Mr. Kelley, chairman of committee on Education, submitted the following report:

MR. SPEAKER—

Your committee on Education to whom was referred

H. B. 11—An act to secure to orphans and other children in the Territory of Washington a common school education,

Have had the same under consideration, and have instructed me to report the same back without recommendation.

N. T. KELLEY,
Chairman.

Mr. Smith, of Snohomish, introduced

Substitute for H. B. 11—An act to secure to orphans and other children, a common school education.

Substitute adopted and read first time.

On motion of Mr. Smith,

The rules were suspended and the bill read second time by title.

On motion of Mr. Miles,

Bill referred to committee on Education with instructions to print.

C. B. No. 4—An act to provide for the execution and acknowledgment of deeds out of this Territory, taken up.

Bill read third time, passed and title agreed to.

Mr. Kelley, chairman of committee on Education, submitted the following report:

MR. SPEAKER—

Your committee on Education to whom was referred

C. B. 7—An act to amend an act entitled "an act establishing a common school system for the Territory of Washington," approved January 27, 1866,

Have had the same under consideration and have instructed me to report the same back without recommendation.

N. T. KELLEY,
Chairman.

On motion of Mr. Ford,

The report of the committee was adopted.

C. B. 7—An act to amend an act entitled "an act establishing a common school system for the Territory of Washington," approved January 27, 1866, taken up.

On motion of Mr. Smith,

The bill was laid on the table.

Mr. O'Bryant, from committee on Ways, Means and Claims, submitted the following report:

MR. SPEAKER—

Your committee on Ways, Means and Claims, to whom was referred

H. B. 40—An act to establish a code commission, appoint a commissioner and provide for his compensation,

Have had the same under consideration, and have instructed me to report the same back and recommend that it do pass.

H. D. O'BRYANT,
Chairman.

On motion of Mr. Simmons,

The report of the committee was adopted.

H. B. 40—An act to establish a code commission, appoint a commissioner and provide for his compensation.

Mr. Miles offered an amendment, on which the ayes and noes were called:

Those who voted in the affirmative are—

Messrs. Clymer, Eldridge, Hancock, Henry, Heckert, Huntington, Jesse, Knapp, Kelley, Longmire, Morgan, McGilvra, O'Bryant, Pollock, Page, Rees, Ruth, Smith, Temple and Mr. Speaker—21.

Those who voted in the negative are—

Messrs. Brazee, Ford, Robinson, Simmons, VanBokkelen and Young—6.

Motion carried and the amendment adopted.

On motion of Mr. McGilvra,

The rules were suspended and the bill read third time, passed and title agreed to.

H. J. R. 15—Relative to compensation of Chas. P. Judson as enrolling clerk.

Mr. Ford moved the indefinite postponement of the resolution.

Motion carried.

Mr. Van Bokkelen, chairman of Special committee, submitted the following report:

MR. SPEAKER—

Your Special committee to whom was referred

H. B. 14—An act for the relief of Isaac L. Roberts,

Have had the same under consideration and report it back and recommend its passage with the following amendment:

Strike out in printed bill wherever it appears, the words "four hundred dollars," and the figures "$400," and insert in lieu thereof the words "one hundred and seventy-five dollars."

J. J. H. VAN BOKKELEN,
Chairman.

On motion of Mr. Simmons,

The report of the committee was adopted.

The following report was taken up:

MR. SPEAKER—

Your committee on Education to whom was referred

H. B. 48—An act to repeal an act in relation to sale of school lands,

Have had the same under consideration, and have instructed me to report the same back without amendment and recommend its passage.

N. T. KELLEY,
Chairman.

On motion of Mr. Longmire,

The report of the committee was adopted.

H. B. 48—An act to repeal an act in relation to sale of school lands.

Bill read third time, passed and title agreed to.

On motion of Mr. Van Bokkelen,

The House adjourned.

CHAS. EAGAN,
Chief Clerk.

HOUSE OF REPRESENTATIVES,
Thursday, January 17, 1867.

House met pursuant to adjournment.

Mr. Speaker in the chair.

Roll called. Present—Messrs. Brazee, Clymer, Clarke, Eldridge, Ford, Hancock, Henry, Harmon, Heckert, Huntington, Jesse, Knapp, Kelly, Longmire, Morgan McGilvra, O'Bryant, Pollock, Page, Rees, Ruth, Robinson, Smith, Simmons, Temple, Van Bokkelen and Young.

Absent—Messrs. Barstow and Jacobs.

Prayer by the Chaplain.

Journal of yesterday read and approved.

Mr. Simmons, chairman of the Judiciary committee, presented report relative to

C. B. 20—An act in relation to landlord and tenant.

H. B. 47—An act in relation to insolvent debtors.

Mr. O'Bryant, from the committee on Ways, Means and Claims, presented report relative to

H. B. 66—An act for the relief of Randall Hewitt.

Mr. Page, from committee on Enrolled Bills, submitted the following report:

MR. SPEAKER—

Your committee on Enrolled Bills have compared the following, and find them correctly enrolled:

H. B. 1—Substitute—An act to restrain and license dance and hurdy gurdy houses.

H. B. 9—An act to amend an act to authorize Antoine Plant to establish a ferry on Spokane river.

H. J. M. 16—Asking indemnity for property lost during the Indian war of 1855-6.

H. B. 16—An act to amend an act entitled "an act to amend an act to protect free white labor against Chinese coolie labor."

H. B. 49—An act in relation to duties of county auditors.

H. B. 7—An act in relation to license in Kitsap county.

THOS. P. PAGE,
Chairman.

Mr. Longmire, of Thurston, introduced

H. B. 93—An act to vacate alleys in block 27, in the town of Olympia.

Bill read first time.

On motion of Mr. Van Bokkelen,

The rules were suspended and the bill read second time by title.

On motion of Mr. Smith,

Bill referred to the Thurston county delegation.

Mr. Knapp, of Clarke, introduced

H. B. 94—An act in relation to a Territorial road from Boisefort plain to Monticello, in Cowlitz county.

Bill read first time.

On motion of Mr. Huntington,

The rules were suspended and the bill read second time by title.

On motion of Mr. McGilvra,

Bill referred to delegation from Lewis and Cowlitz counties.

Second reading of bills.

H. B. 92—An act to appoint officers and locate the county seat of Yakima county.

Bill read second time.

On motion of Mr. Simmons,

The rules were suspended and the bill read third time, passed and title agreed to.

H. B. 84—An act creating the city of Walla-walla a road district.

Bill read second time.

On motion of Mr. Rees,

Bill referred to committee on Federal Relations and Memorials.

Third reading of bills.

H. B. 14—An act for the relief of I. L. Roberts.

Bill read third time, passed and title agreed to.

H. B. 69—An act to repeal an act entitled "an act for the preservation of game."

Bill read third time.

On its final passage the bill was lost.

Substitute for H. B. 32—An act to provide for the care and safe keeping of insane and idiotic persons.

Bill read third time, passed and title agreed to.

Business on the table.

Mr. Robinson, chairman of committee on Commerce, submitted the following report:

MR. SPEAKER—

Your committee on Commerce, to whom was referred

H. B. 57—An act to provide for the removal of obstructions to navigation on Chehalis river,

Have had the same under consideration, and have instructed me to report the same back without recommendation.

R. S. ROBINSON,
Chairman.

H. B. 57—An act to provide for the removal of obstructions to navigation on Chehalis river.

Bill read second time.

Mr. Knapp moved that the bill be indefinitely postponed.

Mr. Clymer moved to lay the motion on the table.

Motion lost.

The question recurring on the indefinite postponement.

On this motion the ayes and noes were called with the following result:

Those who voted in the affirmative are—

Messrs. Braze Hancock, Henry, Jesse, Knapp, Kelley, Longmire, Morgan, O'Bryant, Pollock, Page, Rees, Robinson and Simmons—14.

Those who voted in the negative are—

Messrs. Clymer, Clarke, Eldridge, Ford, Harmon, Heckert, Huntington, McGilvra, Robinson, Smith, Temple, Van Bokkelen, Ruth, Young and Mr. Speaker—15. Motion lost.

Mr. Brazee, chairman of committee on Corporations, submitted the following report:

MR. SPEAKER—

Your committee on Corporations, to whom was referred

H. B. 71—An act to amend an act entitled "an act to provide for the formation of corporations for certain purposes," approved January 27, 1866,

Have had the same under consideration, and have instructed me to report the same back and recommend its passage.

J. W. BRAZEE,
Chairman.

H. B. 71—An act to amend an act entitled "an act to provide for the formation of corporations for certain purposes."

Bill read third time, passed and title agreed to.

Mr. Ruth in the chair.

Mr. Ruth, chairman of committee on Territorial library, submitted the following report:

MR. SPEAKER—

Your committee on Territorial Library have examined the library, and found four thousand one hundred and nineteen volumes bound, and five hundred and forty-one in pamphlet form; we also found that a great number of books are misplaced on

the shelves, but we found the books and library in good order, and your committee would recommend that the librarian be instructed to place the books in proper form on the shelves.

B. F. RUTH,
Chairman.

On motion of Mr. Ford,

Report of committee adopted.

Mr. Robinson, chairman of Select committee, submitted the following report:

MR. SPEAKER—

Your Special committee to whom was referred

H. B. 83—An act supplemental to an act entitled "an act to amend an act to incorporate the city of Port Townsend,"

Have had the same under consideration, and instruct me to report the same back to the House and recommend its passage.

R. S. ROBINSON,
Chairman.

H. B. 83—An act supplemental to an act entitled an act to amend an act to incorporate the city of Port Townsend, Jefferson county, W. T., passed January 16, 1860, and to repeal all other acts in relation thereto.

Bill read third time, passed and title agreed to.

Mr. Temple in the chair.

Mr. McGilvra, from committee on Engrossed Bills submitted the following report:

MR. SPEAKER—

Your committee to whom was referred

H. B. 63—An act to provide for the assessing and collecting of Territorial and school revenue,

Have the same under consideration, and direct me to report the same back and recommend its passage.

JOHN J. McGILVRA,
Chairman.

H. B. 63—An act to provide for the assessing and collecting of Territorial and school revenue, was taken up.

Mr. Speaker in the chair.

Mr. Eldridge moved to lay the bill on the table.

Motion lost.

On motion of Mr. Knapp,

Bill referred to committee on Judiciary.

Mr. Longmire, chairman of Select committee, submitted the following report:

MR. SPEAKER—

Your Select committee to whom was referred

C. B. 24—An act to amend an act to incorporate the town of Olympia, passed January 28, 1859,

Have had the same under consideration, and have instructed me to report the same back without amendment and recommend its passage.

JAMES LONGMIRE,
Chairman.

C. B. 24—An act to amend an act entitled an act to incorporate the town of Olympia, passed January 28, 1859.

Bill read third time, passed and title agreed to.

Mr. Page, from Special committee, submitted the following report:

MR. SPEAKER—

Your Special committee appointed to act in conjunction with a like committee upon the part of the Honorable the Council, to inquire into the condition of the Territorial prisoners confined in the Steilacoom jail, beg leave to report

That they have visited said prison and made full inquiry into the condition and treatment of the prisoners, and find that none of the prisoners complain excepting two, whose complaint is, that their irons, which weigh seventeen or eighteen pounds, are troublesome to them while in bed, and that with the exception of one hour and a half in the day and all the night, they are kept chained to a horizontal bar, and are not able to walk more than a few feet therefrom. The prisoners thus complaining, lately escaped and were retaken and are kept thus confined to prevent them from escaping again.

The other prisoners have the liberty of the prison during the day and are confined in cells at night. None of the prisoners, though examined separate and apart from the sheriff and his

deputies, make any complaint of their treatment, except that above recited.

Your committee found the jail in a neat and cleanly condition, and after a full investigation into the premises and the manner of its keeping, believe the prisoners are all humanely and properly treated and have as much liberty as is consistent with their condition and safe confinement.

T. P. PAGE,
Chairman.

On motion of Mr. McGilvra,

The report of the committee was adopted.

Mr. Robinson, chairman of committee on Commerce, submitted the following report:

MR. SPEAKER—

Your committee on Commerce to whom was referred

H. B. 76—An act in relation to boats navigating Black river, in King county,

Have had the same under consideration, and have instructed me to report the same back and recommend that it do pass.

R. S. ROBINSON,
Chairman.

H. B. 76—An act in relation to navigating Black river, King county, W. T.

Bill read third time, passed and title agreed to.

Mr. Simmons, chairman of the Judiciary committee, submitted the following report:

MR. SPEAKER—

The committee on Judiciary to whom was referred

H. B. 47—An act in relation to insolvent debtors,

Have had the same under consideration and report the same back and recommend its passage.

A. H. SIMMONS,
Chairman.

H. B. 47—An act in relation to insolvent debtors.

Bill read third time, passed and title agreed to.

Mr. Simmons, chairman of committee on Judiciary, submitted the following report:

MR. SPEAKER—

The committee on Judiciary to whom was referred

C. B. 20—An act in relation to landlord and tenant,

Have had the same under consideration, and ask leave to report the bill back and recommend its passage.

A. H. SIMMONS,
Chairman.

C. B. 20—An act in relation to landlord and tenent.

Bill read third time, passed and title agreed to.

On motion of Mr. Rees,

The House took a recess of one hour and a half.

House re-assembled.

H. B. No. 15—An act to amend an act entitled "an act to protect sheep and wool growers," was taken up.

Substitute adopted.

Substitute for H. B. 15—An act to protect sheep and wool growers.

Bill read first time.

On motion of Mr. Clarke,

The rules were suspended and the bill read second time by title.

On motion of Mr. Simmons,

The bill was referred to committee composed of the delegations from Walla-walla, Clarke and Pierce counties.

H. B. 24—An act for the payment of Levi Farnsworth, exploring commissioner, was taken up.

On motion of Mr. Van Bokkelen,

The bill was laid upon the table and made the special order for Saturday next.

Mr. Van Bokkelen, chairman of Special committee, submitted the following report:

MR. SPEAKER—

Your joint committee on the part of the House who was appointed to employ some person to make a map of this Terri-

tory with the boundary lines of the counties properly defined thereon, beg leave to report that in accordance with said resolution, they contracted with E. Giddings, Esq., to make said map, and that said map is completed and now ready for inspection at the Surveyor General's office.

J. J. H. VAN BOKKELEN,
Chairman.

H. B. 73—An act in relation to grand and petit jurors, was taken up.

Bill read third time, passed and title agreed to.

Mr. Simmons, chairman of committee on Judiciary, submitted the following report:

MR. SPEAKER—

The committee on Judiciary to whom was referred

Substitute for C. B. 9—An act amending an act entitled "an act to regulate marriages," approved January 20, 1866,

Have considered the proposed substitute, and have instructed me to recommend that the substitute be laid on the table, and the bill as amended by the House be passed.

A. H. SIMMONS,
Chairman.

C. B. 9—An act amending an act entitled "an act regulating marriages," approved January 20, 1866.

Bill read second time.

On motion of Mr. Van Bokkelen,

The rules were suspended and the bill read third time, passed and title agreed to.

Mr. Simmons, chairman of committee on Judiciary, submitted the following report:

MR. SPEAKER—

The committee on Judiciary to whom was referred

H. B. 70—An act to amend an act entitled "an act defining the jurisdiction and practice in the probate courts in Washington Territory,"

Herewith return the bill and recommend its passage.

A. H. SIMMONS,
Chairman.

H. B. 70—An act to amend an act entitled "an act defining the jurisdiction and practice in the probate courts of Washington Territory," passed January 16, 1863.

Bill read third time, passed and title agreed to.

Mr. O'Bryant, from committee on Ways Means and Claims, submitted the following report:

MR. SPEAKER—

Your committee on Ways Means and Claims, to whom was referred

H. B. 66—An act for the relief of R. H. Hewitt,

Have had the same under consideration, and have directed me to report by substitute.

H. D. O'BRYANT,
Chairman.

Substitute for H. B. 66—An act for the relief of R. H. Hewitt and John M. Murphy.

Bill read first time.

On motion of Mr. Clarke,

The rules were suspended and the bill read second time by title.

On motion of Mr. Harmon,

The rules were further suspended and the bill read third time, passed and title agreed to.

H. B. 30—An act to provide for the election of county commissioners and defining their duties, was taken up.

On motion of Mr. Eldridge,

The report was ordered printed and the bill laid over.

Mr. McGilvra, chairman of committee on Engrossed Bills, submitted the following report:

MR. SPEAKER—

Your committee on Engrossed Bills, to whom was referred

H. B. 19—An act in relation to the construction of roads and highways in Washington Territory, and defining the duties of road supervisors, with instructions to print,

Have complied with the instructions, and have instructed me

to report the same back to the House and recommend its passage.

J. J. McGILVRA,
Chairman.

Substitute for H. B. 19—An act in relation to the construction of roads and highways in Washington Territory, and defining the duties of road supervisors.

Bill read first time.

On motion of Mr. Van Bokkelen,

The rules were suspended and the bill read second time by title.

Mr. Eldridge moved to strike out section 13.

On this motion the ayes and noes were called with the following result:

Those who voted in the affirmative are—

Messrs. Clymer, Eldridge, Ford, Harmon, Hancock, Henry, Morgan, Page, Smith, Temple and Young—11.

Those who voted in the negative are—

Messrs. Brazee, Clarke, Heckert, Huntington, Jesse, Knapp, Kelly, Longmire, McGilvra, O'Bryant, Pollock, Rees, Ruth, Robinson, Simmons, Van Bokkelen, and Mr. Speaker—17.

Amendment lost.

On motion of Mr. Knapp,

The rules were further suspended and the bill read third time, passed and title agreed to.

On motion of Mr. Robinson,

The House adjourned.

CHAS. EAGAN,
Chief Clerk.

HOUSE OF REPRESENTATIVES,
Friday, January 18, 1867.

House met pursuant to adjournment.

Mr. Speaker in the chair.

Roll called. Present—Messrs. Brazee, Clymer, Clarke, Eldridge, Hancock, Henry, Harmon, Heckert, Huntington, Jesse, Knapp, Kelly, Longmire, Morgan, McGilvra, O'Bryant, Pollock, Rees, Ruth, Robinson, Simmons, Smith, Temple and Young.

Absent—Messrs. Barstow and Jacobs.

Prayer by the Chaplain.

Journal of yesterday read and approved.

The Speaker announced that he was about to sign the following:

H. B. 49—An act in relation to the duties of county auditors.

H. B. 16—An act to amend an act entitled "an act to protect free white labor against competition with Chinese coolie labor, and to discourage the immigration of the Chinese into this Territory."

H. B. 7—An act in relation to license in Kitsap county.

Substitute for H. B. 1—An act to restrain and license dance and hurdy-gurdy houses.

H. B. 9—An act to amend an act entitled "an act to authorize Antoine Plant to establish a ferry on Spokane river."

H. J. M. 16—Asking indemnity for property destroyed during the Indian war of 1855-6.

Mr. Kelley, from committee on Education, presented report relative to

H. B. No. 11—An act to secure to orphans and other children in the Territory of Washington a common school education.

Mr. Hancock, from committee on Counties, presented report relative to

H. B. 80—An act defining the county lines of Washington Territory.

Mr. Ruth, from Select committee, presented report relative to

H. B. 93—An act to vacate certain alleys in block number 27, in the town of Olympia.

Mr. Knapp, of Clarke, introduced

H. B. 95—An act exempting Clarke county from delinquent taxes assessed in Skamania county in the years 1855 and 1856.

Bill read first time.

On motion of Mr. Knapp,

The rules were suspended and the bill read second time by title.

On motion of Mr Rees,

Bill referred to committee on Ways Means and Claims, with instructions to print.

Mr. Brazee, of Clarke, introduced

H. B. 96—An act for the relief of Skamania county.

Bill read first time.

On motion of Mr. Smith,

The rules were suspended and the bill read second time by title.

On motion of Mr. Knapp,

Bill referred to committee on Ways, Means and Claims, with instructions to print.

Mr. Pollock, of Clarke, introduced

H. B. 97—An act to further amend an act entitled "an act to incorporate the city of Vancouver."

Bill read first time.

On motion of Mr. Simmons,

The rules were suspended and the bill read second time by title.

On motion of Mr. Ford,

The rules were further suspended and the bill read third time, passed and title agreed to.

H. B. 57—An act to provide for the removal of obstructions to navigation on Chehalis river.

On motion of Mr. Ford,

The bill was laid on the table.

H. B. 41—An act establishing a common school system for the Territory of Washington, was taken up, with report of committee recommending its passage with amendments.

On motion of Mr. Smith,

The rules were suspended, bill read third time, passed and title agreed to.

On motion of Mr. Ford,

The House took a recess of one hour.

House re-assembled.

The following message was received from the Council by their clerk:

COUNCIL CHAMBER,
January 18, 1867.

MR. SPEAKER—

I am instructed by the Council to inform the House of the introduction and passage by the Council of the following:

C. B. 31—An act to amend an act entitled "an act in relation to attorneys and counsellors at law."

C. B. 32—An act for the relief of T. F. and E. W. Chapman.

Also of the passage of

H. B. 65—An act authorizing the commissioners of King county to borrow money for the purpose of building bridges and opening roads in King county.

H. J. M. No. 7—Praying an appropriation of $50,000 to build a military road from Port Angeles to Gray's Harbor, with amendments.

C. B. 28—An act to appropriate money for the making of a map of the Territory.

H. B. 82—An act to repeal an act entitled "an act in relation to dogs in Island county.

H. B. 81—An act legalizing certain acts of the county commissioners of Walla-walla county.

H. B. 85—An act relative to the county seat of Kitsap county.

H. B. 87—An act to amend an act to regulate fees and costs, passed January 28, 1863.

H. B. 24—An act for the payment of Levi Farnsworth, exploring commissioner.

H. B. 62—An act supplemental to an act to repeal an act entitled "an act to incorporate the town of Seattle."

H. B. 72—An act to authorize L. Stilwell and others to construct a ditch for irrigating and manufacturing purposes in Walla-walla county.

H. B. 45—An act to amend an act entitled "an act in relation to crimes and punishments, and proceedings in criminal cases."

H. B. 46—An act to authorize Wm. Dargrow to establish a ferry on Snake river.

H. B. 44—An act authorizing J. M. Vansyckle to establish a ferry at Wallula.

Also that the Council refuse to concur in House amendments to

C. B. No. 4—An act to provide for the execution and acknowledgment of deeds out of this Territory.

Also the introduction of

C. B. 33—An act to provide for the payment of a certain sum of money to W. R. Downey for labor and services on military road over the Naches pass.

C. B. 34—An act to amend an act entitled "an act in relation to prosecuting attorneys.

C. B. 36—An act to amend "an act to regulate the practice and proceedings in civil actions in the district courts," passed January 28, 1863.

C. B. 35—An act in relation to the verification of pleadings in civil actions.

C. B. 37—An act to exempt certain property from execution and attachment.

C. B. 38—An act in relation to taking depositions in the Territory.

C. B. 39—An act in relation to change of venue in certain cases.

C. B. 40—An act in relation to instructions to juries.

N. S. PORTER,
Chief Clerk.

Mr. Ruth, from Special committee, submitted the following report:

MR. SPEAKER—

Your Select committee to whom was referred

H. B. 93—An act to vacate alleys in block 27, in the town of Olympia,

Have had the same under consideration, and have instructed me to report the same back and recommend its passage.

B. F. RUTH,
Chairman.

H. B. 93—An act to vacate the alleys in block number 27, in the town of Olympia.

Bill read third time, passed and title agreed to.

Mr. Kelley, chairman of committee on Education, submitted the following report:

MR. SPEAKER—

Your committee on Education to whom was referred

H. B. 11—An act to secure to orphans and other children in the Territory of Washington a common school education,

Have had the same under consideration, and have instructed me to report the same back and recommend that it do not pass.

N. T. KELLEY,
Chairman.

Substitute for H. B. 11—An act to secure to orphans and other children, a common school education.

Bill read third time.

On the final passage of the bill the ayes and noes were demanded, with the following result:

Those who voted in the affirmative are—

Messrs. Clymer, Clarke, Eldridge, Ford, Harmon, Heckert, Huntington, Longmire, McGilvra, Page, Ruth, Robinson, Smith, Temple and Young—15.

Those who voted in the negative are—

Messrs. Brazee, Hancock, Henry, Jesse, Knapp, Kelley, O'Bryant, Pollock, Rees, Simmons and Mr. Speaker—11.

Bill passed and title agreed to.

Mr. Hancock, chairman of committee on Counties, sub-ted the following report:

MR. SPEAKER—

Your committee on Counties, to whom was referred

H. B. 80—An act defining the county lines of Washington Territory,

Have had the same under consideration, and have instructed me to report the same back with the recommendation that it be considered in the committee of the whole.

LEE HANCOCK,
Chairman.

On motion of Mr. Eldridge,

The report of the committee was adopted.

On motion of Mr. Ford,

The House resolved itself into the committee of the whole to take into consideration

H. B. 80—An act defining the county lines of Washington Territory.

Mr. Speaker in the chair.

The committee rose, the chairman reported that "the committee of the whole have had under consideration H. B. 80, but not having completed their deliberations, ask leave to sit again."

On motion of Mr. Simmons,

The report of the committee was adopted.

H. B. 30—An act to provide for the election of county commissioners and defining their duties, was taken up with report of committee.

On motion of Mr. Van Bokkelen,

Report was considered *seriatim.*

Mr. Eldridge moved to amend the bill by inserting a certain section."

On this motion the ayes and noes were called with the following result:

Those who voted in the affirmative are—

Messrs. Brazee, Clymer, Clarke, Harmon, Heckert, Huntington, Hancock, Henry, Knapp, Kelley, Longmire, McGilvra, O'Bryant, Pollock, Page, Rees, Robinson, Ruth, Simmons and Temple—20.

Those who voted in the negative are—

Messrs. Eldridge, Jesse, Smith and Mr. Speaker—4.

Amendment carried.

Mr. Kelley called for the reading of the bill. Pending the reading,

Mr. Clymer moved to adjourn.

The chair ruled the motion out of order, the chair taking the position that while the clerk was in the act of reading, the floor was occupied, and hence no motion could be entertained.

An appeal was taken from the decision of the chair.

The question was—"Shall the chair be sustained?"

The chair was not sustained.

Mr. Smith moved that 100 copies of the bill be ordered printed.

On this question the ayes and noes were called, with the following result:

Those who voted in the affirmative are—

Messrs. Clarke, Eldridge, Hancock, Henry, Harmon, Heckert, Kelley, Longmire, Pollock, Page, Ruth, Robinson, Smith, and Mr. Speaker—14.

Those who voted in the negative are—

Messrs. Brazee, Clymer, Ford, Huntington, Jesse, Knapp, McGilvra, O'Bryant, Rees, Simmons, Temple and Young—12.

Motion carried.

Mr. Clymer moved to adjourn.

Motion lost.

On motion of Mr. Smith,

A call of the House was had.

On motion of Mr. Huntington,

Further call of the House was dispensed with.

On motion of Mr. Longmire,

The House adjourned.

CHAS. EAGAN,
Chief Clerk.

HOUSE OF REPRESENTATIVES,
Saturday, January 19, 1867.

House met pursuant to adjournment.

Mr. Speaker in the chair.

Roll called. Present—Messrs. Brazee, Clymer, Clarke, Eldridge, Ford, Hancock, Henry, Harmon, Heckert, Huntington, Jesse, Knapp, Kelly, Longmire, Morgan McGilvra, O'Bryant, Pollock, Page, Rees, Ruth, Robinson, Smith, Simmons, Temple, Van Bokkelen and Young.

Absent—Messrs. Barstow and Jacobs.

Prayer by the Chaplain.

Journal of yesterday read and approved.

Mr. Knapp, from committee on Roads and Highways, presented report relative to

H. B. 86—An act appropriating money to aid in the construction and repair of the road between Olympia and Monticello.

Mr. Huntington, from Select committee, presented report relative to

H. B. 94—An act in relation to a Territorial road from Boisefort plain to Monticello, in Cowlitz county.

Mr. Smith, of Snohomish, introduced

H. B. 98—An act to authorize Morris Frost to build a wharf at Muckelteo, Snohomish county.

Bill read first time.

Mr. Henry, of Thurston, introduced

H. J. R. 19—Relative to the powers of Congress and the rights of States.

Resolution read first time.

Mr. McGilvra, of King, introduced

H. J. R. 20—To provide for the binding of a copy of the laws and journals.

Resolution read first time.

On motion of Mr. McGilvra,

Rules were suspended and the resolution read second time by title.

On motion of Mr. McGilvra.

The rules were further suspended and the resolution read third time and passed.

Mr. Knapp, of Clarke, introduced

H. J. R. 21—Relative to distribution of muskets.

Resolution read first time.

On motion of Mr. Knapp,

The rules were suspended and resolution read second time by title.

On motion of Mr. Knapp,

The rules were suspended and the resolution read third time and passed.

Business on the table.

Mr. Huntington, chairman of Select committee, submitted the following report:

MR. SPEAKER—

Your Select committee to whom was referred

H. B. 94—An act in relation to a Territorial from Bisfort to Monticello,

Have had the same under consideration and have instructed me to report the same back without amendments, except the changing of one name, and recommend its passage.

B. HUNTINGTON,
Chairman.

On motion of Mr. Clarke,

The report of the committee was adopted.

H. B. 94—An act in relation to a Territorial road from Bisfort prairie to Monticello, was taken from the table.

Mr. Huntington moved that the rules be suspended, and now be assigned as the time for the third reading of the bill.

Motion carried.

Bill read third time, passed and title agreed to.

On motion of Mr. Smith,

C. B. 25—An act in relation to the road tax in Snohomish county, was taken from the table.

On motion of Mr. Clymer,

The bill was read third time, passed and title agreed to.

Mr. Van Bokkelen, of Stevens, introduced

H. B. 99—An act for the relief of the officers and members of the Legislative Assembly of the Territory of Washington.

Bill read first time.

H. B. 86—An act appropriating money to aid in the repair and construction of the road between Olympia and Monticello, with report of committee, was taken from the table.

Mr. Van Bokkelen in the chair.

Mr. Eldridge moved that the report be laid on the table.

Motion carried.

Mr. Speaker in the chair.

Mr. Clarke moved to adjourn.

Motion lost.

Mr. Simmons moved to strike out the enacting clause.

On this motion the ayes and noes were called with the following result:

Those who voted in the affirmative are—

Messrs. Brazee, Clarke, Hancock, Henry, Harmon, Heckert, Jesse, Knapp, Kelly, Longmire, McGilvra, O'Bryant, Pollock, Page, Rees, Robinson and Simmons—17.

Those who voted in the negative are—

Messrs. Clymer, Eldridge, Ford, Huntington, Morgan, Ruth,

Smith, Temple, Van Bokkelen, Young and Mr. Speaker—11.

Motion carried.

On motion of Mr. Longmire,

The House took a recess of one hour.

House re-assembled.

The following message was received from the Council by their clerk:

COUNCIL CHAMBER,
January 19, 1867.

MR. SPEAKER—

I am instructed by the Council to inform the House of the passage by the Council of the following:

Substitute for H. B. 20—An act relating to the registration of county orders.

H. B. 35—An act to locate the county seat, and appoint officers for Clickitat county.

H. B. 42—An act to establish a standard for the measure of clapboards and shakes.

Also that the following have been reported correctly enrolled:

C. J. R. 9—Relative to prisoners in Pierce county jail.

C. J. R. 8—Relative to reception of communication from Geo. E. Cole, Governor of Washington Territory.

And the same are herewith transmitted for the signature of the Speaker.

N. S. PORTER,
Chief Clerk.

The following message was received from his Excellency Governor Cole:

EXECUTIVE OFFICE,
Olympia, W. T., January 19, 1867.

HON. HENRY MILES,
Speaker of the House of Representatives:

SIR—I have the honor to inform your honorable body that I have examined, approved and caused to be filed in the office of the Secretary of the Territory, the following Legislative acts; to-wit:

H. B. 22—An act to repeal an act entitled "an act to incorporate the town of Seattle."

H. B. 8—An act to revive an act to locate a Territorial road from Skaget Head to Deception Pass in Island county, approved January 21, 1865.

H. B. 36—An act to repeal an act entitled "an act to prevent the depreciation of U. S. legal tender notes."

H. B. No. 4—An act to authorize D. J. Schnebley to construct a bridge across Spokane river.

H. B. 60—An act to amend an act to incorporate the city of Port Townsend, Jefferson county, W. T., passed January 16, 1860, and to repeal all other acts in relation thereto.

H. B. 56—An act to repeal an act entitled "an act in relation to road tax in Whatcom county.

H. B. 21—An act to authorize William Ranck, his heirs and assigns, to construct a fishery and build a road in Clarke county.

H. B. 27—An act to authorize Patrick Farrell to construct a bridge across Hangman's creek.

H. B. 26—An act to incorporate Mill Plain Cemetery Association of Clarke county.

H. B. 38—An act to repeal an act entitled "an act to create and regulate the office of Inspector of salmon."

H. B. 29—An act authorizing W. A. Ball to construct a wagon road from Goose Island on Snake river to the Mullan road on the Spokane river, and to build bridges on the Palouse and Spokane rivers.

I have the honor to be,

Very respectfully,

Your obedient servant,

GEORGE E. COLE,

Governor of Washington Territory.

On motion the House concurred in Council amendments to

H. J. M. No. 7—Praying an appropriation of $50,000 to build a military road from Port Angeles to Gray's Harbor.

C. B. 32—An act for the relief of T. F. and E. W. Chapman.

Bill read first time.

On motion of Mr. Rees,

The rules were suspended and the bill read second time by title.

On motion of Mr. Van Bokkelen,

The rules were further suspended and the bill read third time, passed and title agreed to.

C. B. 31—An act to amend an act entitled "an act in relation to attorneys and counsellors at law."

Bill read first time.

On motion of Mr. Knapp,

The rules were suspended and the bill read second time by title.

On motion of Mr. Robinson,

Bill referred to committee on Judiciary.

C. J. R. 7—Relative to certain regimental colors.

Resolution read first time.

On motion of Mr. Harmon,

The rules were suspended and the resolution read second time.

On motion of Mr. Clarke,

The rules were further suspended and the resolution read third time and passed.

C. J. R. 10—Relative to the Territorial auditor's and treasurer's reports.

Resolution read first time.

On motion of Mr. Eldridge,

Rules were suspended and the resolution read second time.

On motion of Mr. Ford,

The rules were further suspended and the resolution read third time and passed.

Substitute for C. B. 27—An act for the relief of Kitsap county.

Bill read first time.

On motion of Mr. Smith,

The rules were suspended and the bill read second time by title.

On motion of Mr. Ford,

Bill referred to committee on Ways, Means and Claims, with instructions to print.

House concurred in part in Council amendments to

H. B. 50—An act to appoint viewers to review and relocate that part of the Territorial road leading from Monticello to the Upper Cascades, which lies between Vancouver and the foot of Cape Horn mountain.

C. J. R. 5—Relative to the extension of public surveys.

Resolution read first time.

On motion of Mr. Knapp,

The rules were suspended and the resolution read second time.

On motion of Mr Rees,

The rules were further suspended and resolution read third time and passed.

C. B. 30—An act to provide for the organization of a fire department in Vancouver.

Bill read first time.

On motion of Mr. Simmons,

The rules were suspended and the bill read second time by title.

On motion of Mr. Ford,

Bill referred to delegation from Clarke county.

C. J. M. 3—Asking that certain citizens of Pierce and Lewis counties be confirmed in the title to their claims.

Memorial read first time.

On motion of Mr. Van Bokkelen,

The rules were suspended and the memorial read second time.

On motion of Mr. Simmons,

Memorial referred to committee on Federal Relations and Memorials.

C. B. 28—An act to appropriate money for the making of a map of the Territory.

Bill read first time.

On motion of Mr. Van Bokkelen,

The rules were suspended and the bill read second time by title.

On motion of Mr. Van Bokkelen,

Bill referred to committee on Ways, Means and Claims.

On motion of Mr. Rees,

The House resolved itself into the committee of the whole to take into consideration H. B. 34.

Mr. Van Bokkelen in the chair.

The committee arose, reported progress and asked leave to sit again.

On motion of Mr. McGilvra,

The report of the committee was adopted.

On motion of Mr. Morgan,

The House adjourned.

CHAS. EAGAN,
Chief Clerk.

HOUSE OF REPRESENTATIVES,
Monday, January 21, 1867.

House met pursuant to adjournment.

Mr. Speaker in the chair.

Roll called. Present—Messrs. Brazee, Clymer, Clarke, Eldridge, Ford, Hancock, Henry, Harmon, Heckert, Huntington,

Jesse, Knapp, Kelly, Longmire, Morgan McGilvra, O'Bryant, Pollock, Page, Rees, Ruth, Robinson, Smith, Simmons, Temple, Van Bokkelen and Young.

Absent—Messrs. Barstow and Jacobs.

Prayer by the Chaplain.

Journal of Saturday read and approved.

Mr. Simmons, chairman of the Judiciary committee, presented report relative to

C. B. 22—An act to provide for the assessing and collecting of Territorial and county revenue.

Mr. Pollock, from Select committee, presented report relative to

C. B. 30—An act to provide for the organization of a fire department in Vancouver, Clarke county.

Mr. Knapp, from committee on Roads and Highways, presented report relative to

H. B. 3—An act in relation to the public roads in Stevens county.

Mr. Pollock in the chair.

Mr. Miles, of Lewis, introduced

H. B. 100—An act to provide for the removal of obstructions to navigation on the Cowlitz river.

Bill read first time.

On motion of Mr. Van Bokkelen,

The rules were suspended and the bill read second time by title.

On motion of Mr. Brazee,

Bill referred to committee on Ways, Means and Claims, with instructions to print.

Mr. Clarke, of Pierce, introduced

H. J. R. 22—Relative to appropriation to repair military road leading from Monticello to Skookum Chuck.

Resolution read first time.

On motion of Mr. Clymer,

The rules were suspended and the resolution read second time.

On motion of Mr. Smith,

Resolution laid on the table and ordered printed.

Mr. Page, of Walla-walla, introduced

H. B. 101—An act for relief of E. G. Parker, deputy sheriff of Walla-walla county.

Bill read first time.

On motion of Mr. Van Bokkelen,

The rules were suspended and the bill was read second time.

Bill referred to committee on Ways, Means and Claims, with instructions to print.

Mr. Huntington, of Cowlitz and Wahkiakum, introduced

H. B. 103—An act to amend an act entitled "an act in relation to crimes and punishments, and proceedings in criminal cases."

Bill read first time.

On motion of Mr. O'Bryant,

The rules were suspended and the bill read second time by title.

On motion of Mr. Robinson,

Bill referred to committee on Indian Affairs.

Second reading of bills.

H. J. R. 19—Relative to the powers of Congress and the rights of States.

Bill read second time.

On motion of Mr. Henry,

The bill was made a special order for Wednesday.

H. B. 99—An act for the relief of the officers and members of the Legislative Assembly of the Territory of Washington.

Bill read second time.

On motion of Mr. Kelley,

The bill was indefinitely postponed.

H. B. 98—An act to authorize Morris Frost to build a wharf at Muckelteo, Snohomish county.

Bill read second time.

On motion of Mr. Smith,

Bill read third time, passed and title agreed to.

On motion of Mr. Ford,

H. B. 57—An act to provide for the removal of obstructions to navigation on Chehalis river, was taken from the table.

Bill read third time.

On the final passage of the bill, the ayes and noes were called, with the following result:

Those who voted in the affirmative are—

Messrs. Clymer, Eldridge, Ford, Harmon, Heckert, Huntington, McGilvra, Smith, Temple, Van Bokkelen, Young and Mr. Speaker—12.

Those who voted in the negative are—

Messrs. Brazee, Clarke, Hancock, Henry, Jesse, Knapp, Kelly, Longmire, Morgan, O'Bryant, Pollock, Page, Rees, Ruth, Robinson and Simmons—16.

Bill lost.

Business on the table.

The following report was taken up:

MR. SPEAKER—

Your Select committee to whom was referred the petition of J. C. Lewark and others in relation to a certain water course, have instructed me to report by bill, which is herewith respectfully submitted.

F. HENRY,
Chairman.

H. B. 104—An act to authorize W. B. Fish and others to fix the channel of a certain small stream.

Bill read first time.

On motion of Mr. Ruth,

The rules were suspended and the bill read second time by title.

On motion of Mr. Longmire,

Bill referred to committee on Judiciary, with instructions to print.

Mr. Pollock, chairman of Select committee, submitted the following report:

MR. SPEAKER—

Your Select committee to whom was referred

C. B. 30—An act to provide for the organization of a Fire Department at Vancouver,

Have had the same under consideration, and have instructed me to report the same back without amendment and recommend its passage.

J. POLLOCK,
Chairman.

C. B. 30—An act to provide for the organization of a Fire Department at Vancouver.

Bill read third time, passed and title agreed to.

Mr. Knapp, from committee on Roads and Highways, submitted the following report:

MR. SPEAKER—

Your committee on Roads and Highways to whom was referred

H. B. No. 3—Relative to the public roads in Stevens county,

Have had the same under consideration, and have instructed me to report a substitute and recommend its passage.

H. M. KNAPP,
Chairman.

Substitute for H. B. 3—An act in relation to public roads in Stevens county.

Bill read first time.

On motion of Mr. Ford,

The rules were suspended and the bill read second time by title.

On motion of Mr. McGilvra.

The rules were further suspended and the bill read third time, passed and title agreed to.

Mr. McGilvra, of King, introduced

An act to amend an act to regulate the practice and proceedings in civil actions in the district courts.

Bill read first and second times and referred to committee on Judiciary.

Mr. Simmons, chairman of committee on Judiciary, submitted the following report:

MR. SPEAKER—

The committee on Judiciary to whom was referred

H. B. 63—An act to provide for the assessing and collecting of Territorial and school revenue,

Have had the same under consideration, and have instructed me to recommend that it be indefinitely postponed.

A. H. SIMMONS,
Chairman.

H. B. 63—An act to provide for the assessing and collecting of Territorial and school revenue, was taken up.

On motion of Mr. McGilvra,

The report of the committee was laid upon the table.

Mr. Simmons moved that the rules be suspended and now be assigned as the time for third reading of the bill.

Motion lost.

On motion of Mr. Eldridge,

The bill was laid on the table.

C. B. 22—An act to provide for the assessing and collecting of Territorial and county revenue.

On motion of Mr. Jesse,

The bill was laid on the table and made the special order for Friday next, and report of committee ordered printed.

H. B. 30—An act to provide for the election of county commissioners and defining their duties.

The bill was read third time, passed and title agreed to.

Mr. Ford gave notice that he would introduce an act supplemental to H. B. 30.

On motion of Mr. Eldridge,

The House took a recess of one hour.

AFTERNOON SESSION.

House re-assembled.

On motion of Mr. Simmons,

The House went into the committee of the whole to take into consideration

H. B. 34—An act relating to elections and the mode of filling vacancies.

The committee arose and the chairman submitted the following report:

MR. SPEAKER—

Your committee of the whole to whom was referred

H. B. 34—An act to amend an act entitled "an act relating to elections and the mode of supplying vacancies,"

Beg leave to report that they have had the same under consideration and report the same back with amendments and recommend its passage as amended.

J. J. H. VAN BOKKELEN,
Chairman.

On motion of Mr. Rees,

The report of the committee was adopted.

Mr. Eldridge moved to strike out the word "male" in section first.

On this motion the ayes and noes were called with the following result:

Those who voted in the affirmative are—

Messrs. Clarke, Eldridge, Ford, Harmon, Huntington, Morgan, Smith, Temple and Young—9.

Those who voted in the negative are—

Messrs. Brazee, Clymer, Hancock, Henry, Heckert, Jesse, Knapp, Kelley, Longmire, O'Bryant, Page, Rees, Robinson, Ruth, Simmons, Van Bokkelen and Mr. Speaker—17.

Motion lost.

On the final passage of the bill the ayes and noes were demanded, with the following result:

Those who voted in the affirmative are—

Messrs. Brazee, Eldridge, Hancock, Henry, Heckert, Jesse, Knapp, Kelley, Longmire, O'Bryant, Page, Rees, Ruth, Robinson, Simmons, Smith and Mr. Speaker—17.

Those who voted in the negative are—

Messrs. Clymer, Clarke, Ford, Harmon, Huntington, Morgan, Temple, Van Bokkelen and Young—9.

Bill passed and title agreed to.

On motion of Mr. Morgan,

The House adjourned.

CHAS. EAGAN,
Chief Clerk.

HOUSE OF REPRESENTATIVES,
Tuesday, January 22, 1867.

House met pursuant to adjournment.

Mr. Speaker in the chair.

Roll called. Present—Messrs. Brazee, Clymer, Clarke, Eldridge, Hancock, Henry, Harmon, Heckert, Huntington, Jesse, Knapp, Kelly, Longmire, Morgan, McGilvra, O'Bryant, Pollock, Rees, Ruth, Robinson, Simmons, Smith, Temple and Young.

Absent—Messrs. Barstow and Jacobs.

Prayer by the Chaplain.

Journal of yesterday read and approved.

The Speaker annonnced that he was about to sign the following:

C. J. R. 9—Relative to prisoners in Pierce county jail.

C. J. R. 8—Relative to reception of communication from Geo. E. Cole, Governor of Washington Territory.

Mr. O'Bryant, from committee on Ways and Means, presented report relative to

C. B. 27—An act for the relief of S. F. Coombs, sheriff of Kitsap county.

C. B. 28—An act to appropriate money for the making of a map of the Territory.

H. B. 78—An act for the relief of Jefferson county.

H. B. 79—An act for the relief of Stevens county.

Mr. Jessee, from Select committee, presented report relative to

H. B. No. 15—An act to amend an act entitled "an act to protect sheep and wool growers."

Mr. Ford, of Chehalis, introduced

H. B. 105—An act to fix the times for holding the county commissioners courts in certain counties.

Bill read first time.

On motion of Mr. Clarke,

The rules were suspended and the bill read second time by title.

On motion of Mr. Knapp,

Bill referred to committee on Counties.

Mr. Page, from committee on Enrolled Bills, submitted the following report:

MR. SPEAKER—

Your committee on Enrolled Bills have compared the following, and find them correctly enrolled:

H. B. 72—An act to authorize L. Stilwell and others to construct a ditch for manufacturing purposes and irrigation in Walla-walla.

H. B. 35—An act to locate the county seat, and appoint officers for Clickitat county.

H. B. 42—An act to establish a standard for the measure of clapboards and shakes.

Substitute for H. B. 20—An act relating to the registration of county orders.

THOS. P. PAGE,
Chairman.

Mr. Miles, of Lewis, introduced

H J. M. 18—Praying for an appropriation for the improvement of the rivers of Washington Territory.

Memorial read first time.

On motion of Mr. Smith,

The rules were suspended and the memorial read second time.

On motion of Mr. Van Bokkelen,

Memorial referred to committee on Federal Relations and Memorials, with instructions to print.

Mr. Robinson, of Jefferson, introduced

H J. M. 19—Praying an appropriation for the construction of Government buildings at Olympia.

Memorial read first time.

On motion of Mr. Henry,

The rules were suspended and the memorial read second time.

On motion of Mr. Kelley,

Memorial referred to committee on Federal Relations and Memorials, with instructions to print.

Mr. Kelley, of Pierce, introduced

H. B. 106—An act to incorporate the Stuck milling and log driving company.

Bill read first time.

On motion of Mr. Smith,

The rules were suspended and the bill read second time by title.

On motion of Mr. Ford,

The bill was referred to committee on Corporations with instruction to print.

Mr. Van Bokkelen, of Stevens, introduced

H. B. 107—An act to distribute the public arms of the Territory and to provide for the safe keeping of the records of the Indian war of 1855-6.

Bill read first time.

On motion of Mr. Ruth,

The rules were suspended and the bill read second time by title.

On motion of Mr. Longmire,

Bill referred to committee on Counties, with instructions to print.

The following message was received from the Council by their clerk:

COUNCIL CHAMBER,
January 22, 1867.

MR. SPEAKER—

I am instructed by the Council to inform the House of the introduction in the Council of the following:

C. J. R. 11—Relative to a joint convention for the election of Territorial officers.

C. B. 42—An act to amend an act to apportion the representation of Washington Territory in the Legislative Assembly, approved January 22, 1866.

Also of the passage of

H. B. 61—An act authorizing S. M. and Robert Russell to construct a ferry on White river.

H. B. 75—An act to repeal an act entitled "an act relative to the county of Skamania."

Also that the Council refuse to concur in House amendments to

C. B. 20—An act in relation to landlord and tenent.

Also that the following have been reported correctly enrolled:

C. J. M. 1—Remonstrating against removing the Head Quarters of the Military Department from Vancouver to Portland.

C. B. 13—An act to provide for the payment of assessors.

And the same are herewith transmitted for the signature of the Speaker.

I am also instructed to inform the House that the Council have indefinitely postponed

C. B. 41—An act legalizing the marriage of Andrew Gerris and Mary Hart.

Also that the Council refuse to pass

C. B. 26—An act to encourage the cod fishery and provide bounty for the same.

Also that the Council refuse to concur in House amendments to

C. B. No. 9—An act to amend an act entitled, "an act to regulate marriages," passed, Jan. 20, 1866.

Also that the Council indefinitely postponed

C. J. R. 11—Relative to joint convention for the election of Territorial officers.

Also the introduction and passage of

C. B. 43—An act in relation to the forfeiture of recognizances.

C. B. 45—An act relating to the sheriff of Clarke county.

Also of the introduction in the Council of

C. B. 44—An act in relation to the Territorial University.

C. B. 46—An act in relation to judges of probate and the practice in the probate courts of Washington Territory.

Also of the passage of the following:

H. J. R. 21—Relative to distribution of muskets, with an amendment.

H. B. 89—An act in relation to the Skagit mining district.

H. B. 90—An act to provide a district recorder for Skagit mining district.

H. B. 48—An act to repeal an act in relation to sale of school lands.

H. B. 25—An act to repeal an act to locate a road in Clarke county.

H. B. 18—An act to permanently locate and build a penitentiary of the Territory of Washington.

Also that the President of the Council has signed the following:

H. B. 14—Substitute—An act to restrain and license dance and hurdy gurdy houses.

H. B. 9—An act to amend an act entitled "an act to authorize Antoine Plant to establish a ferry on Spokane river."

H. B. 7—An act in relation to license in Kitsap county.

H. B. 16—An act to amend an act entitled "an act to protect free white labor against competition with Chinese coolie labor, and to discourage the immigration of the Chinese into this Territory."

H. B. 49—An act in relation to duties of county auditors.

H. J. M. 16—Asking indemnity for property lost during the Indian war of 1855-6.

And the same are herewith transmitted.

N. S. PORTER,
Chief Clerk.

Mr. Van Bokkelen, of Stevens, introduced

H. J. R. 23—Relative to joint convention for the election of Territorial officers.

Resolution read first time.

On the motion to suspend the rules, the ayes and noes were called with the following result:

Those who voted in the affirmative are—

Messrs. Clymer, Clarke, Eldridge, Ford, Hancock, Harmon, Huntington, Morgan, Ruth, Smith, Temple, Van Bokkelen and Young—13.

Those who voted in the negative are—

Messrs. Brazee, Henry, Heckert, Jesse, Knapp, Kelly, Longmire, McGilvra, O'Bryant, Pollock, Page, Rees, Robinson Simmons and Mr. Speaker—15.

Motion lost.

Mr. Van Bokkelen, of Stevens, introduced

H. J. M. 20—Relative to the division of the Territory.

Memorial read first time.

On motion of Mr. Kelley,

The rules were suspended and the memorial read second time by title.

On motion of Mr. Longmire,

Memorial referred to committee on Federal Relations and Memorials.

Second reading of bills.

H. J. M. 22—Relative to appropriation to repair military road leading from Monticello to Skookum Chuck.

Memorial read second time.

Mr. Ford moved that the rules be suspended and now be assigned as the time for the third reading of the memorial.

On this motion the ayes and noes were called with the following result:

Those who voted in the affirmative are—

Messrs. Brazee, Clymer, Clarke, Eldridge, Ford, Hancock, Henry, Harmon, Heckert, Huntington, Jesse, Knapp, Kelley, Longmire, Morgan, McGilvra, O'Bryant, Pollock, Page, Rees, Ruth, Robinson, Simmons, Smith, Temple, Van Bokkelen, Young and Mr. Speaker—27.

Bill passed and title agreed to.

Business on the table.

The following report was taken from the table:

MR. SPEAKER—

Your Select committee to whom was referred

Substitute for H. B. 15—An act to protect sheep and wool growers,

Have directed me to report the same back, with the recommendation that sections five, six, eight, nine, ten, eleven and twelve be stricken from the bill, and recommend its passage.

D. M. JESSEE,
Chairman.

On motion of Mr. O'Bryant,

The report of the committee was adopted.

Substitute for H. B. 15—An act to protect sheep and wool growers.

Bill read third time, passed and title agreed to.

Mr. O'Bryant, from committee on Ways, Means and Claims, submitted the following report:

MR. SPEAKER—

Your committee on Ways, Means and Claims, to whom was referred

H. B. 78—An act for the relief of Jefferson county,

Have had the same under consideration, and have directed me to report by substitute, and recommend its passage.

H. D. O'BRYANT,
Chairman.

Substitute for H. B. 78—An act for the relief of Jefferson county.

Bill read first time.

On motion of Mr. Morgan,

The rules were suspended and the bill read second time by title.

On motion of Mr. McGilvra,

The rules were further suspended and the bill read third time, passed and title agreed to.

Mr. O'Bryant, from committee on Ways, Means and Claims, submitted the following report:

MR. SPEAKER—

Your committee on Ways, Means and Claims, to whom was referred

H. B. 79—An act for the relief of Stevens county,

Have had the same under consideration, and have instructed me to report by substitute and recommend its passage.

H. D. O'BRYANT,
Chairman.

Substitute for H. B. 79—An act for the relief of Stevens county.

Bill read first time.

On motion of Mr. Van Bokkelen,

The rules were suspended and the bill read second time by title.

On motion of Mr. Robinson,

The rules were further suspended and the bill read third time, passed and title agreed to.

C. B. 28—An act to appropriate money for the making of a map of the Territory.

The bill was read third time, passed and title agreed to.

On motion of Mr. Longmire,

The House took a recess of one hour.

House re-assembled.

Mr. O'Bryant, chairman of committee on Ways, Means and Claims, submitted the following report:

MR. SPEAKER—

The committee on Ways, Means and Claims, to whom was referred

Substitute for C. B. 27—An act for the relief of Kitsap county,

Have had the same under consideration and have instructed me to report the same back without recommendation.

H. D. O'BRYANT,
Chairman.

Substitute for C. B. 27—An act for the relief of Kitsap county, was read.

On motion of Mr. Ford,

Bill referred to committee on Counties.

On motion of Mr. Simmons,

The House resolved itself into the committee of the whole to take into consideration

H. B. 80—An act defining the county lines of Washington Territory.

Mr. Simmons in the chair.

The following message was received from the Council by their Clerk:

COUNCIL CHAMBER,
January 22, 1867.

MR. SPEAKER—

I am instructed by the Council to inform the House of the introduction and passage by the Council of the following:

C. J. R. 12—Relative to joint convention for the purpose of electing Territorial officers.

N. S. PORTER,
Chief Clerk.

The committee arose and reported the bill back to the House with amendments.

On motion of Mr. Van Bokkelen,

The bill was made the special order for Thursday next.

Business from the Council.

C. J. M. 4—Relative to the homestead and pre-emption acts.

Memorial read first time.

On motion of Mr. Longmire,

The rules were suspended and the memorial read second time.

On motion of Mr. Knapp,

Rules further suspended and the memorial read third time and passed.

On motion of Mr. Heckert,

House concurred in Council amendments to

H. J. R. 21—Relative to distribution of muskets.

C. B. 43—An act in relation to the forfeiture of recognizances.

Bill read first time.

On motion of Mr. McGilvra,

The rules were suspended and the bill was read second time.

On motion of Mr. Clymer,

Bill referred to committee on Judiciary.

C. B. 45—An act relating to the sheriff of Clarke county.

Bill read first time.

On motion of Mr. Van Bokkelen,

The rules were suspended and the bill read second time by title.

On motion of Mr. Harmon,

Bill referred to delegation from Clarke county.

On motion of Mr. Page,

The House receded from its amendment to

C. B. 20—An act in relation to landlord and tenant.

C. J. R. 12—Relative to joint convention for the election of Territorial officers.

Resolution read first time.

On motion of Mr. Van Bokkelen,

The House adjourned.

CHAS. EAGAN,
Chief Clerk.

HOUSE OF REPRESENTATIVES,
Wednesday, January 23, 1867.

House met pursuant to adjournment.

Mr. Speaker in the chair.

Roll called. Present—Messrs. Brazee, Clymer, Clarke, Eldridge, Ford, Hancock, Henry, Harmon, Heckert, Huntington, Jesse, Knapp, Kelly, Longmire, Morgan McGilvra, O'Bryant, Pollock, Page, Rees. Ruth, Robinson, Smith, Simmons, Temple, Van Bokkelen and Young.

Absent—Messrs. Barstow and Jacobs.

Prayer by the Chaplain.

Journal of yesterday read and approved.

The Speaker gave notice that he was about to sign the following:

H. B. 72—An act to authorize L. Stilwell and others to construct a ditch for irrigating and manufacturing purposes in Walla-walla county.

H. B. 42—An act to establish a standard for the measurement of clapboards and shakes.

H. B. 35—An act to locate the county seat and appoint officers for Klikitat county.

Substitute for H. B. 20—An act relating to the registration of county orders.

C. B. 13—An act to provide for the pay of assessors.

C. J. M. 1—Remonstrating against the removal of military headquarters from Fort Vancouver to Portland.

Mr. O'Bryant presented a petition from the citizens of Walla-walla county.

On motion of Mr. Rees,

Petition referred to committee on Federal Relations and Memorials, with instructions to print.

Mr. Heckert, from committee on Indian Affairs, presented report relative to

H. B. 103—An act to amend an act entitled "an act in relation to crimes and punishments, and proceedings in criminal cases."

Mr. O'Bryant, from the committee on Ways, Means and Claims, presented report relative to

H. B. 95—An act exempting Clarke county from delinquent taxes assessed in Skamania county in the years 1855 and 1856.

Mr. Henry, from committee on Federal Relations and Memorials, presented report relative to

H. J. M. 20—Relative to the division of the Territory.

Mr. Eldridge presented minority report.

Mr. Hancock, from committee on Counties, presented report relative to

H. B. 105—An act to fix the time of holding commissioners court in certain counties.

H. B. 107—An act to distribute the public arms of the Territory and to provide for the safe keeping of the records of the Indian war of 1855-6.

Substitute for C. B. 27—An act for the relief of Kitsap county.

Mr. Henry, of Thurston, introduced

H. B. 108—An act to exempt firemen from serving as jurors.

Bill read first time.

On motion of Mr. Simmons,

The rules were suspended and the bill read second time by title.

On motion of Mr. McGilvra,

Bill referred to committee on Corporations.

Mr. Longmire, of Thurston, introduced

H. B. 109—An act to amend an act regulating fees of certain officers of Thurston county.

Bill read first time.

On motion of Mr. Knapp,

The rules were suspended and the bill read second time by title.

On motion of Mr. Clarke,

Bill referred to Thurston county delegation with orders to print.

Mr. Huntington in the chair.

Mr. Miles, of Lewis, introduced

H. B. 110—An act to amend an act to review and locate a Territorial road from Claquato to Fort Willopa.

Bill read first time.

On motion of Mr. Knapp,

The rules were suspended and the bill read second time by title.

On motion of Mr. Smith,

The rules were further suspended and the bill read third time, passed and title agreed to.

Second reading of bills.

C. J. R. 12—Relative to a joint convention for the election of Territorial officers.

Resolution read second time.

H. J. R. 23—Relative to joint convention for the election of Territorial officers.

Resolution read second time.

On motion of Mr. Van Bokkelen,

The resolution was indefinitely postponed.

Third reading of bills.

H. B. 96—An act for the relief of Skamania county.

Bill read third time.

On its final passage the bill was lost.

The following report was taken up:

MR. SPEAKER—

Your committee on Counties, to whom was referred

Substitute for C. B. 27—An act for the relief of S. F. Coombs, sheriff of Kitsap county,

Have had the same under consideration, and have instructed me to report the same back without recommendation.

LEE HANCOCK,
Chairman.

Substitute for C. B. 27—An act for the relief of Kitsap county.

Bill read second time.

On motion of Mr. Young,

The rules were suspended, and the bill read third time.

On the final passage of the bill the ayes and noes were called, with the following result:

Those who voted in the affirmative are—

Messrs. Clymer, Clarke, Eldridge, Ford, Harmon, Heckert, Huntington, Jesse, Morgan, McGilvra, Page, Ruth, Robinson, Smith, Temple, Van Bokkelen and Young—17.

Those who voted in the negative are—

Messrs. Brazee, Hancock, Henry, Knapp, Kelley, Longmire, O'Bryant, Pollock, Rees Simmons and Mr. Speaker—11.

Bill passed and title agreed to.

The following report was taken from the table:

MR. SPEAKER—

Your committee on Counties, to whom was referred

H. B. 107—An act to distribute the public arms of the Territory and to provide for the safe keeping of the records of the Indian war of 1855-6,

Have had the same under consideration, and have instructed me to report the same back and recommend its passage.

LEE HANCOCK,
Chairman.

H. B. 107—An act to distribute the public arms of the Territory and to provide for the safe keeping of the records of the Indian war of 1855-6, was taken up.

Mr. Page moved to adjourn.

Ayes and noes called.

Ayes—2. Noes—26.

Motion lost.

Mr. Henry moved an indefinite postponement of the bill.

On this motion the ayes and noes were called with the following result:

Those who voted in the affirmative are—

Messrs. Brazee, Clymer, Ford, Hancock, Henry, Harmon, Knapp, Kelley, Longmire, O'Bryant, Pollock, Rees, Ruth, Robinson, Simmons and Young—16.

Those who voted in the negative are—

Messrs. Clarke, Eldridge, Heckert, Huntington, Jesse, Morgan, McGilvra, Page, Smith, Temple, Van Bokkelen and Mr. Speaker—12.

The bill was indefinitely postponed.

The following report was taken up:

MR. SPEAKER—

Your committee on Counties, to whom was referred

H. B. 105—An act to fix the times for holding the county commissioners courts in certain counties,

Have the same under consideration, and direct me to report the same back and recommend its passage.

LEE HANCOCK,
Chairman.

H. B. 105—An act to fix the time for holding the county commissioners conrts in certain counties.

Bill read third time, passed and title agreed to.

H. J. M. 20—Relative to division of the Territory of Washington, with reports thereon, taken up.

On motion of Mr. Eldridge,

The reports were laid on the table.

Mr. Van Bokkelen, of Stevens, introduced

Substitute for H. J. M. 20—Relative to division of Washington Territory.

Substitute adopted and read first time.

On motion of Mr. Eldridge,

The rules were suspended and the memorial read second time.

Mr. Heckert moved an indefinite postponement of the memorial.

On this motion the ayes and noes were called with the following result:

Those who voted in the affirmative are—

Messrs. Brazee, Clarke, Hancock, Henry, Heckert, Knapp, Kelley, Pollock and Mr. Speaker—9.

Those who voted in the negative are—

Messrs. Clymer, Eldridge, Ford, Harmon, Huntington, Jesse, Longmire, Morgan, McGilvra, O'Bryant, Page, Rees, Ruth, Robinson, Simmons, Smith, Temple, Van Bokkelen and Young—19.

Motion lost.

Mr. O'Bryant, from committee on Ways, Means and Claims, submitted the following report:

MR. SPEAKER—

Your committee on Ways, Means and Claims, to whom was referred

H. B. 95—An act for the relief of Clarke county,

Have had the same under consideration and have instructed me to report the bill back with the following amendments and recommend its passage as amended:

Strike out the title and insert "An act exempting Clarke county from liability arising from delinquent takes assessed in Skamania county in the years 1865 and 1866."

Strike out all of Sec. 3.

H. D. O'BRYANT,
Chairman.

On motion of Mr. Knapp,

The report of the committee was adopted.

H. B. 95—An act exempting Clarke county from liability

arising from delinquent taxes assessed in Skamania county in the years 1865 and 1866.

The bill was read third time, passed and title agreed to.

The following message was received from the Council by their clerk:

COUNCIL CHAMBER,
January 23, 1867.

MR. SPEAKER—

I am instructed by the Council to inform the House of the passage by the Council of the following:

Substitute for H. B. 66—An act for the relief of R. H. Hewitt and John M. Murphy, with an amendment.

H. B. 83—An act supplemental to an act entitled an act to amend an act to incorporate the city of Port Townsend, Jefferson county, W. T., passed January 16, 1860, and to repeal all other acts in relation thereto.

H. B. 59—An act to authorize H. L. Tibbals and A. Hibbard to build a wharf at Port Townsend.

H. B. 54—An act to provide for a Territorial librarian, to prescribe his duties and to protect the library.

H. B. 64—An act to appropriate money to aid in the construction and repair of certain roads.

Also that the Council concur in House amendments to Council amendments to

H. B. 50—An act to appoint viewers to review and relocate that part of the Territorial road leading from Monticello to the Upper Cascades, which lies between Vancouver and the foot of Cape Horn mountain.

Also that the Council refuse to pass

H. B. 93—An act to vacate the alleys in block number 27, in the town of Olympia.

Also that the Council indefinitely postponed

H. B. 52—An act to repeal certain acts in relation to license in Clarke county.

N. S. PORTER,
Chief Clerk.

On motion of Mr. Eldridge,

The House took a recess of one hour.

AFTERNOON SESSION.

House re-assembled.

H. J. R. 19—Relative to the powers of Congress and the rights of States, was taken up.

Mr. Henry offered an amendment.

Upon the adoption of the amendment the ayes and noes were called with the following result:

Those who voted in the affirmative are—

Messrs. Brazee, Hancock, Henry, Heckert, Jesse, Knapp, Kelly, Longmire, O'Bryant, Pollock, Page, Rees, Ruth, Robinson, Simmons, Van Bokkelen and Mr. Speaker—17.

Those who voted in the negative are—

Messrs. Clymer, Clarke, Eldridge, Harmon, Huntington, Morgan, McGilvra, Smith, Temple, and Young—10.

Amendment adopted.

Mr. Robinson offered a substitute for section second.

Mr. Henry moved to lay the amendment on the table.

On this motion the ayes and noes were called with the following result:

Those who voted in the affirmative are—

Messrs. Brazee, Hancock, Henry, Heckert, Jesse, Knapp, Kelley, Longmire, O'Bryant, Pollock, Page, Rees, Ruth, Simmons and Mr. Speaker—15.

Those who voted in the negative are—

Messrs. Clymer, Clarke, Eldridge, Harmon, Huntington, Morgan, McGilvra, Robinson, Smith, Temple, Van Bokkelen and Young—13.

Amendment laid on the table.

On motion, the rules were suspended.

Pending the discussion of the resolution,

The House adjourned.

CHAS. EAGAN,
Chief Clerk.

HOUSE OF REPRESENTATIVES,
Thursday, January 24, 1867.

House met pursuant to adjournment.

Mr. Speaker in the chair.

Roll called. Present—Messrs. Brazee, Clymer, Clarke, Eldridge, Ford, Hancock, Henry, Harmon, Heckert, Huntington, Jesse, Knapp, Kelly, Longmire, Morgan McGilvra, O'Bryant, Pollock, Page, Rees, Ruth, Robinson, Smith, Simmons, Temple, Van Bokkelen and Young.

Absent—Messrs. Barstow and Jacobs.

Prayer by the Chaplain.

Journal of yesterday read and approved.

Mr. Brazee, from committee on Corporations, presented report relative to

H. B. 108—An act to exempt firemen from serving as jurors.

Mr. Henry, from committee on Federal Relations and Memorials, presented report relative to

H. J. M. 18—Praying for an appropriation for the improvement of the rivers of Washington Territory.

H. J. M. 19—Praying an appropriation for the construction of Government buildings at Olympia.

C. J. M. 3—Asking that certain citizens of Pierce and Lewis counties be confirmed in the title to their claims.

Mr. Page, from committee on Enrolled Bills, submitted the following report:

MR. SPEAKER—

Your committee on Enrolled Bills have compared the following, and find them correctly enrolled:

H. B. 75—An act to repeal an act in relation to the county of Skamania.

H. B. 18—An act to permanently locate and build a penitentiary of the Territory of Washington.

H. B. 61—An act authorizing J. M. and Robert Russell to construct a ferry on White river.

H. B. 90—An act to provide for a district recorder for the Skagit mining district.

H. B. 89—An act in relation to the Skagit mining district.

H. B. 25—An act to repeal an act to locate a road in Clarke county.

H. B. 48—An act to repeal an act in relation to sale of school lands.

H. J. M. No. 7—Praying an appropriation of $50,000 to build a military road from Port Angeles to Gray's Harbor.

H. B. 44—An act to authorize J. M. Vansycle to establish a ferry at Wallula.

H. B. 46—An act to authorize Wm. Dargrow to establish a ferry on Snake river.

H. B. 62—An act supplemental to an act to repeal an act to incorporate the town of Seattle.

H. B. 65—An act authorizing the commissioners of King county to borrow money for the purpose of building bridges and opening roads in King county.

H. B. 45—An act to amend an act entitled an act in relation to crimes and punishments.

H. B. 81—An act legalizing the acts of the county commissioners of Walla-walla county.

H. B. 24—An act for the payment of Levi Farnsworth, exploring commissioner.

H. B. 85—An act relative to the county seat of Kitsap county.

H. B. 87—An act to amend an act to regulate fees and costs, passed January 28, 1863.

H. B. 82—An act to repeal an act entitled "an act in relation to dogs in Island county.

THOS. P. PAGE,
Chairman.

Mr. Simmons, chairman of the Judiciary committee, presented report relative to

H. B. 102—An act to amend an act entitled "an act to reg-

ulate the practice and proceedings in civil actions in the district courts."

H. B. 104—An act to authorize W. B. Fish and others to fix the channel of a certain small stream.

H. B. 88—An act to amend an act entitled "an act to provide for the assessing and collecting Territorial and county revenue," passed January 29, 1864.

C. B. 31—An act to amend an act entitled "an act in relation to attorneys and counsellors at law."

C. B. 43—An act in relation to the forfeiture of recognizances.

Mr. Temple in the chair.

Mr. Miles, of Lewis, introduced

H. J. M. 21—Praying Congress to donate eighty-five sections of land to aid in the construction of a road from Olympia to Monticello.

Memorial read first time.

On motion of Mr. Van Bokkelen,

The rules were suspended and the memorial read second time.

On motion of Mr. Young,

Rules further suspended and the memorial read third time and passed.

Mr. Knapp, of Clarke, introduced

H. B. 111—An act to repeal an act entitled "an act in relation to the city recorder of Vancouver."

Bill read first time.

On motion of Mr. McGilvra,

The rules were suspended and the bill read second time by title.

On motion of Mr. Knapp,

The rules were further suspended and the bill read third time, passed and title agreed to.

Mr. Clarke, of Pierce, introduced

H. B.112—An act in relation to the labor of penitentiary convicts.

Bill read first time.

On motion of Mr. Morgan,

The rules were suspended and the bill read second time by title.

On motion of Mr. Clarke,

Bill referred to committee on Judiciary, with instructions to print.

Mr. Clarke, of Pierce, introduced

H. B. 113—An act to protect sheep and wool growers in certain counties.

Bill read first time.

On motion of Mr. Van Bokkelen,

The rules were suspended and the bill was read second time.

On motion of Mr. Heckert,

The bill was referred to Mr. Clarke, of Pierce.

Mr. Harmon, of Island, introduced

H. B. 114—An act for the relief of U. E. Bozarth.

Bill read first time.

On motion of Mr. Morgan,

The rules were suspended and the bill read second time by title.

On motion of Mr. Smith,

The rules were suspended, bill read third time, passed and title agreed to.

Mr. Harmon, of Island, introduced

H. J. R. 24—Relative to distribution of journals and laws of the Territory.

Resolution read first time.

On motion of Mr. McGilvra,

Rules were suspended and the resolution read second time.

On motion of Mr. Heckert,

The rules were further suspended and resolution read third time and passed.

Mr. Van Bokkelen, of Stevens, introduced

H. J. R. 25—Relative to the safe keeping of Territorial property.

Resolution read first time.

On motion of Mr. Rees,

The rules were suspended and the resolution read second time.

On motion of Mr. Clymer,

The rules were further suspended and the resolution read third time and passed.

Third reading of bills.

C. J. R. 12—Relative to joint convention for the purpose of electing Territorial officers.

Resolution read third time.

On the final passage of the resolution the ayes and noes were called, with the following result:

Those who voted in the affirmative are—

Messrs. Clymer, Clarke, Eldridge, Ford, Harmon, Huntington, Morgan, McGilvra, Robinson, Smith, Temple, Van Bokkelen and Young—13.

Those who voted in the negative are—

Messrs. Brazee, Hancock, Henry, Heckert, Jessee, Knapp, Kelley, Longmire, O'Bryant, Pollock, Page, Ruth, Rees, Simmons and Mr. Speaker—15.

Resolution lost.

Substitute for H. J. M. 20—Relative to division of Washington Territory, was taken up.

Resolution read third time.

Mr. Kelley moved to refer to committee on Federal Relations and Memorials.

Motion lost.

Mr. Henry in the chair.

Mr. Clymer proposed an amendment.

Mr. Simmons moved to lay the amendment on the table.

Motion lost.

On the amendment the ayes and noes were called with the following result:

Those who voted in the affirmative are—

Messrs. Brazee, Clymer, Clarke, Henry, Knapp, Kelley, Longmire, McGilvra, Pollock, Temple and Young—11.

Those who voted in the negative are—

Messrs. Eldridge, Ford, Hancock, Heckert, Harmon, Huntington, Jesse, Morgan, O'Bryant, Page, Rees, Ruth, Robinson, Simmons, Smith, Van Bokkelen and Mr. Speaker—17.

Mr. Kelley moved an indefinite postponement.

On this motion the ayes and noes were called with the following result:

Those who voted in the affirmative are—

Messrs. Brazee, Clymer, Clarke, Hancock, Henry, Heckert, Huntington, Jesse, Knapp, Kelley, Longmire, McGilvra, O'Bryant, Pollock and Robinson—15.

Those who voted in the negative are—

Messrs. Eldridge, Ford, Harmon, Morgan, Page, Rees, Ruth, Simmons, Smith, Temple, Van Bokkelen, Young and Mr. Speaker—13.

Motion carried.

Business on the table.

The following report was taken up:

MR. SPEAKER—

The committee on Ways, Means and Claims, to whom was referred

H. B. 100—An act to provide for the removal of obstructions to navigation on the Cowlitz river,

Have had the same under consideration and ask leave to report it back and recommend that it do not pass.

H. D. O'BRYANT,
Chairman.

H. B. 100—An act to provide for the removal of obstructions to navigation in the Cowlitz river, was read third time.

On the final passage of the bill, the ayes and noes were called, with the following result:

Those who voted in the affirmative are—

Messrs. Clymer, Eldridge, Ford, Harmon, Huntington, McGilvra, Ruth, Smith, Temple, Young and Mr. Speaker—11.

Those who voted in the negative are—

Messrs. Brazee, Clarke, Hancock, Henry, Heckert, Jessee, Kelley, Knapp, Longmire, Morgan, O'Bryant, Pollock, Page, Rees, Robinson, Simmons and Van Bokkelen—17.

H. B. 101—An act for the relief of E. G. Parker, deputy sheriff of Walla-walla county, was taken up.

On motion of Mr. Jessee,

Bill read third time, passed and title agreed to.

The following message was received from the Council by their Clerk:

COUNCIL CHAMBER,
January 24, 1867.

MR. SPEAKER—

I am instructed by the Council to inform the House of the introduction in the Council of the following:

C. J. R. 13—Relative to the elective franchise in Washington Territory.

C. B. 47—An act authorizing C. H. Hale to build a wharf on First Street in the town of Olympia.

Also of the passage of

Substitute for H. B. 11—An act to secure to orphans and other children, a common school education, with an amendment.

H. B. 39—An act in relation to taxing stock.

H. B. No. 12—An act to amend an act entitled "an act to regulate fees and costs."

C. B. 34—An act to amend an act entitled "an act in relation to prosecuting attorneys.

C. B. 38—An act in relation to taking depositions in the Territory.

H. B. 73—An act in relation to grand and petit jurors.

C. B. 39—An act in relation to change of venue in certain cases.

H. B. 71—An act to amend an act entitled "an act to provide for the formation of corporations for certain purposes," approved January 27, 1866.

H. B. 70—An act to amend an act entitled "an act defining the jurisdiction and practice in the probate courts of Washington Territory," passed January 16, 1863.

H. B. 97—An act to further amend an act entitled "an act to incorporate the city of Vancouver."

H. B. 92—An act to appoint officers and locate the county seat of Yakima county.

Also that the following have been reported correctly enrolled:

C. J. R. 5—Relative to the extension of public surveys.

C. J. R. 7—Relative to certain regimental colors.

C. J. R. 10—Relative to the Territorial auditor's and treasurer's reports.

C. B. 25—An act in relation to road tax in Snohomish county.

C. B. 14—An act in relation to evidence in civil actions.

C. B. 24—An act to amend an act to incorporate the town of Olympia, passed January 28, 1859,

C. B. 32—An act for the relief of T. F. and E. W. Chapman.

And the same are herewith transmitted for the signature of the Speaker.

N. S. PORTER,
Chief Clerk.

The following message was received from his Excellency Governor Cole:

EXECUTIVE OFFICE,
Olympia, W. T., January 24, 1867.

HON. HENRY MILES,
Speaker of the House of Representatives:

SIR—I have the honor to inform your honorable body that I have examined, approved and caused to be filed in the office

of the Secretary of the Territory, the following Legislative acts, to-wit:

H. B. 49—An act in relation to the duties of county auditors.

H. B. 16—An act to amend an act entitled "an act to protect free white labor against competition with Chinese coolie labor, and to discourage the immigration of the Chinese into this Territory."

H. B. 9—An act to amend an act entitled "an act to authorize Antoine Plant to establish a ferry on Spokane river."

H. B. No. 7—An act in relation to licenses in Kitsap county.

H. B. 1—An act to restrain and license dance and hurdy gurdy houses.

I have the honor to be,

Very respectfully,

Your obedient servant,

GEORGE E. COLE,

Governor of Washington Territory.

The following report was taken up:

MR. SPEAKER—

Your committee on Federal Relations and Memorials, to whom was referred

H. J. M. 19—Praying an appropriation for the construction of Government buildings at Olympia,

Have instructed me to return the same with a recommendation that it pass.

F. HENRY,

Chairman.

H. J. M. 19—Praying an appropriation for the construction of government buildings at Olympia.

Memorial read third time and passed.

C. J. M. 3—Asking that certain citizens be confirmed in their titles to their claims.

Memorial read third time and passed.

The following report was taken from the table:

MR. SPEAKER—

The committee of Federal Relations and Memorials, to whom was referred

H. J. M. 18—Praying for an appropriation to improve the rivers of Washington Territory,

Have directed me to report back the same and recommend its passage.

F. HENRY,
Chairman.

H. J. M. 18—Praying an appropriation to improve the rivers of Washington Territory.

Memorial read third time.

On the final passage of the memorial the ayes and noes were called, with the following result:

Those who voted in the affirmative are—

Messrs. Brazee, Clarke, Eldridge, Ford, Henry, Harmon, Heckert, Huntington, Jessee, Knapp, Longmire, Morgan, McGilvra, Pollock, Ruth, Rees, Robinson, Smith, Temple, Van Bokkelen and Mr. Speaker—21.

Those who voted in the negative are—

Messrs. Clymer, Hancock and Young—3.

The following report was taken up:

MR. SPEAKER—

The committee on Judiciary to whom was referred

C. B. 43—An act in relation to the forfeiture of recognizances.

C. B. 31—An act to amend an act entitled "an act in relation to attorneys and counsellors at law."

H. B. 104—An act to authorize W. B. Fish and others to fix the channel of a certain small stream,

Have instructed me to recommend their passage.

A. H. SIMMONS,
Chairman.

H. B. 104—An act to authorize W. B. Fish and others to fix the channel of a certain stream.

Bill read third time, passed and title agreed to.

H. B. 102—An act to amend an act entitled "an act to reg-

ulate the practice and proceedings in civil actions in the district courts," was indefinitely postponed.

On motion of Mr. Clarke,

H. B. 67—An act legalizing certain acts of the county commissioners of Pierce county, was taken up.

Bill read third time, passed and title agreed to.

C. B. 43—An act in relation to the forfeiture of recognizances.

The bill was read third time, passed and title agreed to.

C. B. 31—An act to amend an act entitled an act in relation to attorneys and counsellors at law, passed Jan. 24, 1863.

Bill read third time, passed and title agreed to.

H. B. 108—An act to exempt firemen from serving as jurors, was indefinitely postponed.

H. B. 103—An act to amend an act entitled "an act in relation to crimes and punishments, and proceedings in criminal cases."

Bill read third time, passed and title agreed to.

Business from the Council.

On motion of Mr. Smith,

The House concurred in Council amendments to

H. B. 11—An act to secure to orphans and other children in the Territory of Washington a common school education.

Council substitute for H. B. 39—An act in relation to taxing stock.

Bill read first time.

On motion of Mr. Heckert,

The rules were suspended and the bill was read second time.

On motion of Mr. Harmon,

Bill referred to committee on Judiciary.

C. B. 34—An act to amend an act entitled "an act in relation to prosecuting attorneys."

Bill read first time.

On motion of Mr. Van Bokkelen,

The rules were suspended and the bill read second time by title.

On motion of Mr. Knapp,

Bill referred to committee on Judiciary.

C. B. 38—An act in relation to taking depositions in the Territory.

Bill read first time.

On motion of Mr. Longmire,

The rules were suspended and the bill read second time by title.

On motion of Mr. Rees,

Bill referred to committee on Judiciary.

C. B. 39—An act in relation to change of venue in certain cases.

Bill read first time.

On motion of Mr. Ruth,

The rules were suspended and the bill read second time by title.

On motion of Mr. Page,

Bill referred to committee on Judiciary, with instructions to print.

Council substitute for H. B. 92—An act to appoint officers and locate the county seat of Yakima county.

Bill read first time.

On motion of Mr. Van Bokkelen,

The rules were suspended and the bill read second time by title.

On motion of Mr. Young,

The rules were suspended, bill read third time, passed and title agreed to.

C. B. 46—An act in relation to judges of probate and the practice in the probate courts of Washington Territory.

Bill read first time.

On motion of Mr. McGilvra,

The rules were suspended and the bill read second time.

On motion of Mr. Knapp,

Bill referred to committee on Judiciary.

The House refused to concur in Council amendments to Substitute for H. B. 66—An act for the relief of R. H. Hewitt and John M. Murphy.

On motion of Mr. Van Bokkelen,

The House concurred in Council amendments to

H. B. 59—An act to authorize H. L. Tibbals and A. Hibbard to build a wharf at Port Townsend.

H. B. 51—An act to apportion the members of the Council and the members of the House of Representatives of the Territory of Washington.

Bill read second time.

On motion of Mr. Heckert,

The bill was referred to a Special committee composed of Messrs. Simmons, Huntington, Longmire, Knapp, Clymer, Jessee and Ford.

H. J. R. 19—Relative to the powers of Congress and the rights of States, was taken up.

On the final passage of the resolution the ayes and noes were demanded, with the following result:

Those who voted in the affirmative are—

Messrs. Hancock, Henry, Heckert, Jesse, Knapp, Kelly, Longmire, O'Bryant, Pollock, Page, Rees, Ruth, Simmons and Mr. Speaker—14.

Those who voted in the negative are—

Messrs. Clymer, Clarke, Eldridge, Ford, Harmon, Huntington, McGilvra, Robinson, Smith, Temple, Van Bokkelen and Young—12.

On motion of Mr. Ford,

The House adjourned.

CHAS. EAGAN,
Chief Clerk.

HOUSE OF REPRESENTATIVES,
Friday, January 25, 1867.

House met pursuant to adjournment.

Mr. Speaker in the chair.

Roll called. Present—Messrs. Brazee, Clymer, Clarke, Eldridge, Hancock, Henry, Harmon, Heckert, Huntington, Jesse, Knapp, Kelly, Longmire, Morgan, McGilvra, O'Bryant, Pollock, Rees, Ruth, Robinson, Simmons, Smith, Temple and Young.

Absent—Messrs. Barstow and Jacobs.

Prayer by the Chaplain.

Journal of yesterday read and approved.

The Speaker gave notice that he was about to sign the following:

C. J. R. 5—Relative to extension of Public surveys.

C. J. R. 10—Relative to the Territorial auditor's and treasurer's reports.

C. B. No. 14—An act relative to evidence in civil actions.

C. B. 32—An act for the relief of Truman F. and E. W. Chapman.

C. B. 24—An act to amend an act entitled an act to incorporate the town of Olympia, passed January 28, 1859.

C. B. 25—An act in relation to the road tax in Snohomish county.

H. B. 82—An act to repeal an act entitled "an act in relation to dogs in Island county.

H. B. 87—An act to amend an act to regulate fees and costs, passed January 28, 1863.

H. B. 85—An act relative to the county seat of Kitsap county.

H. B. 24—An act for the payment of Levi Farnsworth, exploring commissioner.

H. B. 81—An act legalizing the acts of the county commissioners of Walla-walla county.

H. B. 45—An act to amend an act entitled an act in relation to crimes and punishments.

Mr. Brazee, from committee on Corporations, presented report relative to

H. B. 106—An act to incorporate the Stuck Milling and Log Driving Company.

Mr. Clarke, from Select committee, presented report relative to

H. B. 113—An act to protect sheep and wool growers in Pierce county.

Mr. Van Bokkelen, of Stevens, introduced

H. J. R. 26—Relative to purchasing the Gardner shackle.

Resolution read first time.

On motion of Mr. Ford,

Rules were suspended and the resolution read second time.

On motion of Mr Rees,

The rules were further suspended and resolution read third time and passed.

The Speaker annonnced that he was about to sign the following:

H. B. 46—An act to authorize Wm. Dargrow to establish a ferry on Snake river.

H. B. 62—An act supplemental to an act to repeal an act to incorporate the town of Seattle.

H. B. 65—An act authorizing the commissioners of King county to borrow money for the purpose of building bridges and opening roads in King county.

H. B. 61—An act authorizing J. M. and Robert Russell to construct a ferry on White river.

H. B. 18—An act to permanently locate and build a penitentiary of the Territory of Washington.

H. B. 75—An act to repeal an act in relation to the county of Skamania.

H. B. 90—An act to provide for a district recorder for the Skagit mining district.

H. B. 89—An act in relation to the Skagit mining district.

H. B. 25—An act to repeal an act to locate a road in Clarke county.

H. B. 48—An act to repeal an act in relation to sale of school lands.

H. J. M. No. 7—Praying an appropriation of $50,000 to build a military road from Port Angeles to Gray's Harbor.

H. B. 44—An act to authorize J. M. Vansycle to establish a ferry at Wallula.

Mr. McGilvra moved to reconsider the vote by which

H. B. 108—An act to exempt firemen from from serving as jurors. was indefinitely postponed.

Motion carried.

Mr. Henry, of Thurston, introduced

Substitute for H. B. 108—An act to exempt firemen from serving as jurors.

On motion of Mr. Longmire,

Substitute adopted and read first time.

On motion of Mr. Knapp,

The rules were suspended and the bill read second time by title.

On motion of Mr. Morgan,

The rules were further suspended and the bill read third time, passed and title agreed to.

H. J. R. 27—Relative to the payment of Edward Giddings for Territorial map.

Resolution read first time.

On motion of Mr. Simmons,

The rules were suspended and the resolution read second time.

On motion of Mr. O'Bryant,

The rules were further suspended and the resolution read third time and passed.

Mr. Clarke, of Pierce, introduced

H. B. 115—An act to make probate judges ex-officio auditor and ex-officio school superintendent.

Bill read first time.

On motion of Mr. Robinson,

The rules were suspended and the bill read second time by title.

On motion of Mr. Clymer,

Bill referred to committee on Judiciary with instructions to print.

The following message was received from the Council by their clerk:

COUNCIL CHAMBER,
January 25, 1867.

MR. SPEAKER—

I am instructed by the Council to inform the House of the introduction and passage by the Council of the following:

C. B. 48—An act for the relief of the sheriff of Pierce county.

Also the introduction of

C. B. 49—An act in relation to Territorial warrants.

C. B. 50—An act in relation to future control of Territorial convicts, and to employ them upon penitentiary grounds and buildings.

Also of the passage of the following:

H. B. 55—An act to incorporate the Coal Creek Road Company, with amendments.

H. B. 68—An act authorizing the county commissioners of Skamania county to purchase the wagon road built by E. C. Hardy.

H. B. 19—An act in relation to the construction of roads and highways in Washington Territory, and defining the duties of road supervisors.

H. B. 32—An act relating to the care and keeping of insane and idiotic persons.

H. B. 14—An act for the relief of I. L. Roberts.

H. J. R. 20—To provide for the binding of a copy of the laws and journals, with an amendment.

Also that the Council refuse to pass

H. B. 76—An act in relation to boats navigating Black river, in King county.

Also that the President of the Council has signed the following:

H. B. 42—An act to establish a standard for the measure of clapboards and shakes.

H. B. 35—An act to locate the county seat and appoint officers for Klikitat county.

H. B. 72—An act to authorize L. Stilwell and others to construct a ditch for irrigating and manufacturing purposes in Walla-walla county.

Substitute for H. B. 20—An act relating to the registration of county orders.

Substitute for C. B. 9—An act amending an act entitled "an act to regulate marriages," approved January 20, 1866, has been reported correctly enrolled.

And the same are herewith transmitted for the signature of the Speaker.

Also that the Council refuses to pass

C. J. R. 13—Relative to the elective franchise in Washington Territory.

N. S. PORTER,
Chief Clerk.

The following message was received from the Council by their clerk:

COUNCIL CHAMBER,
January 25, 1867.

MR. SPEAKER—

I am instructed by the Council to inform the House of the introduction and passage by the Council of the following:

C. B. 53—An act in relation to writs of mandate and prohibition.

N. S. PORTER,
Chief Clerk.

On motion of Mr. Smith,

H. B. 13—An act to amend an act entitled "an act relating to the support of the poor," was taken up.

Bill read third time, passed and title agreed to.

Business on the table.

The following report was taken up:

MR. SPEAKER—

Your Select committee to whom was referred

H. B. 113—An act to protect sheep and wool growers in certain counties,

Have had the same under consideration and report the same back and recommend its passage.

FRED. A. CLARKE,
Chairman.

H. B. 113—An act to protect sheep and wool growers in certain counties.

Bill read third time, passed and title agreed to.

The following report was taken up:

MR. SPEAKER—

Your committee on Corporations to whom was referred

H. B. 106—An act to incorporate the Stuck milling and log driving company,

Have had the same under consideration, and have instructed me to report the same back without recommendation.

J. W. BRAZEE,
Chairman.

H. B. 106—An act to incorporate the stuck milling and log driving company.

Bill read third time, passed and title agreed to.

Mr. Smith in the chair.

C. B. 46—An act in relation to judges of probate and the practice in the probate courts of Washington Territory.

Bill read second time.

C. B. 39—An act in relation to change of venue in certain cases.

Bill read second time.

On motion of Mr. Van Bokkelen,

The rules were suspended and the bill read third time, passed and title agreed to.

C. B. 38—An act in relation to taking depositions in the Territory.

Bill read third time, passed and title agreed to.

C. B. 34—An act to amend an act entitled "an act in relation to prosecuting attorneys.

The bill was read third time, passed and title agreed to.

On motion of Mr. Heckert,

The House took a recess of one hour.

AFTERNOON SESSION.

House re-assembled.

H. B. 55—An act to incorporate the Coal Creek Road Company, was taken up.

Mr. McGilvra moved that the House concur in Council amendments.

On this motion the ayes and noes were called with the following result:

Those who voted in the affirmative are—

Messrs. Brazee, Clarke, Eldridge, Ford, Hancock, Morgan, Harmon, Heckert, Huntington, Jessee, Knapp, Longmire, O'Bryant, Pollock, Page, Rees, Ruth, Robinson, Simmons, Smith and Mr. Speaker—20.

Those who voted in the negative are—

Messrs. Clymer, Henry, Kelley, Temple and Young—5.

Motion carried.

The following message was received from the Council by their Clerk:

COUNCIL CHAMBER,
January 25, 1867.

MR. SPEAKER—

I am instructed by the Council to inform the House of the passage by the Council of the following:

C. B. 50—An act in relation to Territorial convicts.

H. B. 47—An act in relation to insolvent debtors.

Also that the Council refuse to recede from its amendments to

Substitute for H. B. 66—An act for the relief of R. H. Hewitt and John M. Murphy, and ask a committee of conference.

N. S. PORTER,
Chief Clerk.

On motion of Mr. Simmons,

The chair appointed Messrs. Simmons, McGilvra and Henry a committee of conference in relation to amendments to

H. B. 66—An act for the relief of R. H. Hewitt and John M. Murphy.

Mr. Knapp moved to take from the table

Substitute for H. B. 6—An act in relation to fences and fence viewers.

Motion carried,

Bill read third time, passed and title agreed to.

The following message was received from the Council by their clerk:

COUNCIL CHAMBER,
January 25, 1867.

MR. SPEAKER—

I am instructed by the Council to inform the House that the President has appointed Messrs. Clark and Ferguson a committee of conference on the part of the Council.

N. S. PORTER,
Chief Clerk.

H. B. 39—An act to assess certain property and collect taxes thereon, was indefinitely postponed.

Mr. Simmons, chairman of committee on Judiciary, submitted the following report:

MR. SPEAKER—

The committee on Judiciary to whom was referred

C. B. No. 12—An act to fix the time for holding the terms of the supreme and district courts of the Territory of Washington,

Have instructed me to report, and recommend the following amendments:

Strike out of Sec. 1 all after the enacting clause.

In Sec. 2, strike out "July" and insert "August" where it relates to the court at Seattle.

A. H. SIMMONS,
Chairman.

On motion of Mr. Van Bokkelen,

The report of the committee was adopted.

House concurred in Council amendment to,

H. J. R. 20—An act to provide for the binding of a copy of the laws, journals and decisions of the supreme court.

C. B. 50—An act in relation to Territorial convicts.

Bill read first time.

On motion of Mr. Harmon,

The rules were suspended and the bill read second time by title.

On motion of Mr. Jessee,

Bill referred to committee on Judiciary.

C. B. 48—An act for the relief of the sheriff of Pierce county.

Bill read first time.

On motion of Mr. Knapp,

The rules were suspended and the bill read second time by title.

On motion of Mr. Longmire,

Bill referred to committee on Claims.

C. B. 53—An act in relation to writs of mandate and prohibition.

Bill read first time.

On motion of Mr. Knapp,

The rules were suspended and the bill read second time by title.

On motion of Mr. Rees,

Bill referred to committee on Judiciary.

H. J. R. 17—Relative to the introduction of new business.

Resolution read third time and passed.

C. B. 22—An act to provide for the assessing and collecting of Territorial and county revenue, was taken up.

On motion of Mr. Van Bokkelen,

The House resolved itself into the committee of the whole to take into consideration

C. B. 22—An act to provide for the assessing and collecting of Territorial and county revenue.

Mr. Eldridge in the chair.

The committee arose, reported back the bill with amendments, recommended its passage and asked to be discharged from further consideration of the bill.

On motion of Mr. Ruth,

The report of the committee was adopted.

On motion of Mr. Henry,

The House adjourned.

CHAS. EAGAN,
Chief Clerk.

HOUSE OF REPRESENTATIVES,
Saturday, January 26, 1867.

House met pursuant to adjournment.

Mr. Speaker in the chair.

Roll called. Present—Messrs. Brazee, Clymer, Clarke, Eldridge, Hancock, Henry, Harmon, Heckert, Huntington, Jesse, Knapp, Kelly, Longmire, Morgan, McGilvra, O'Bryant, Pollock, Rees, Ruth, Robinson, Simmons, Smith, Temple and Young.

Absent—Messrs. Barstow and Jacobs.

Prayer by the Chaplain.

Journal of yesterday read and approved.

Mr. Page, from committee on Enrolled Bills, submitted the following report:

MR. SPEAKER—

Your committee on Enrolled Bills have compared the following, and find them correctly enrolled:

H. B. 73—An act in relation to grand and petit jurors.

H. B. 14—An act for the relief of Isaac L. Roberts.

H. B. 68—An act authorizing the county commissioners of Skamania county to purchase the wagon road built by E. C. Hardy.

H. B. 71—An act to amend an act entitled "an act to provide for the formation of corporations for certain purposes," approved January 27, 1866.

H. B. 59—An act to authorize H. L. Tibbals and A. Hibbard to build a wharf at Port Townsend.

H. B. 64—An act to appropriate money to aid in the construction and repair of certain roads.

H. B. 83—An act supplemental to an act entitled an act to amend an act to incorporate the city of Port Townsend, Jefferson county, W. T., passed January 16, 1860, and to repeal all other acts in relation thereto.

H. B. 97—An act to further amend an act entitled "an act to incorporate the city of Vancouver."

H. B. 70—An act to amend an act entitled "an act defining the jurisdiction and practice in the probate courts of Washington Territory," passed January 16, 1863.

H. B. 50—An act to appoint viewers to review and relocate that part of the Territorial road leading from Monticello to the Upper Cascades, which lies between Vancouver and the foot of Cape Horn mountain.

H. J. R. 21—Relative to distribution of muskets.

THOS. P. PAGE,
Chairman.

On motion of Mr. Van Bokkelen,

The report of the committee was adopted.

Mr. Simmons, from Select committee, presented report relative to

Substitute for H. J. M. 20—Relative to division of Washington Territory.

Memorial read first time.

On motion of Mr. Rees,

Bill referred to committee on Ways, Means and Claims.

Mr. Kelley, of Pierce, introduced

H. J. R. 28—Relative to the distribution of the road and school laws.

Resolution read first time.

On motion of Mr. Page,

The rules were suspended and the resolution read second time.

On motion of Mr. Van Bokkelen,

The rules were further suspended and the resolution read third time and passed.

Mr. Rees, of Walla-walla, introduced

H. B. 116—An act in relation to the terms of the district courts in the first judicial district.

Bill read first time.

On motion of Mr. Simmons,

The rules were suspended and the bill read second time by title.

On motion of Mr. Heckert,

The rules were further suspended and the bill read third time, passed and title agreed to.

The following message was received from the Council by their clerk:

COUNCIL CHAMBER,
January 26, 1867.

MR. SPEAKER—

I am instructed by the Council to inform the House of the introduction in the Council of the following:

C. B. 52—An act for the relief of Pierce county.

Also of the passage of

H. B. 40—An act to establish a code commission, appoint a commissioner and provide for his compensation.

H. J. R. 18—Relative to printing certain acts.

H. B. 94—An act in relation to a Territorial road from Boisefort plain to Monticello, in Cowlitz county.

Substitute for Council bills 35 and 36—An act to amend an act entitled "an act to regulate the practice and proceedings in civil actions in the district courts."

Substitute for C. B. 35 and 36—An act to amend an act entitled "an act to regulate the practice and proceedings in civil actions in the district courts,"

C. B. 47—An act authorizing C. H. Hale to build a wharf on First Street in the town of Olympia.

Substitute for H. B. 3—An act in relation to public roads in Stevens county.

H. B. No. 15—An act to amend an act entitled "an act to protect sheep and wool growers."

Substitute for H. B. 78—An act for the relief of Jefferson county.

H. J. R. 22—Relative to appropriation for repair of military road from Monticello to Skookum Chuck.

Also that the Council refuse to concur in House amendments to

C. J. M. 13—Asking that certain citizens of Pierce and Lewis counties be confirmed in the title to their claims.

Also that the President has signed the following:

H. B. 46—An act to authorize William Darrow and others to establish a ferry on Snake river.

H. B. 81—An act legalizing the acts of the county commissioners of Walla-walla county.

H. B. 65—An act authorizing the commissioners of King county to borrow money for the purpose of building bridges and roads in King county.

H. B. 24—An act for the payment of Levi Farnsworth, exploring commissioner.

H. B. 87—An act to amend an act to regulate fees and costs, passed January 28, 1863.

H. B. 61—An act authorizing J. M. and Robert Russell to construct a ferry on White river.

H. B. 75—An act to repeal an act in relation to the county of Skamania.

H. B. 45—An act to amend an act entitled an act in relation to crimes and punishments.

H. J. M. No. 7—Praying an appropriation of $50,000 to build a military road from Port Angeles to Gray's Harbor.

H. B. 18—An act to permanently locate and build a penitentiary of the Territory of Washington.

H. B. 90—An act to provide for a district recorder for the Skagit mining district.

H. B. 89—An act in relation to the Skagit mining district.

H. B. 25—An act to repeal an act to locate a road in Clarke county.

H. B. 48—An act to repeal an act in relation to sale of school lands.

H. B. 44—An act to authorize J. M. Vansycle to establish a ferry at Wallula.

H. B. 62—An act supplemental to an act to repeal an act to incorporate the town of Seattle.

H. B. 82—An act to repeal an act entitled "an act in relation to dogs in Island county.

H. B. 85—An act relative to the county seat of Kitsap county.

Also that the following have been reported correctly enrolled:

C. J. M. 4—Relative to the homestead and pre-emption acts.

C. B. 20—An act in relation to landlord and tenant.

C. B. No. 4—An act to provide for the execution and acknowledgment of deeds out of this Territory.

C. B. 28—An act to appropriate money for the making of a map of the Territory.

And the same are herewith transmitted for the signature of the Speaker.

Also of the passage of

C. B. 33—An act to provide for the payment of a certain

sum of money to W. R. Downey for labor and services on military road over the Naches pass.

N. S. PORTER,
Chief Clerk.

Third reading of bills.

C. B. 46—An act in relation to judges of probate and the practice in the probate courts of Washington Territory.

Bill read third time, passed and title agreed to.

Business on the table.

C. B. 45—An act relating to the sheriff of Clarke county.

Bill read third time, passed and title agreed to.

H. B. 51—An act to apportion the members of the Council and the members of the House of Representatives of Washington Territory, was taken up.

On motion of Mr. Heckert,

The rules were suspended and the bill was read second time.

On motion of Mr. McGilvra,

The rules were further suspended and the bill read third time.

On the final passage of the bill, the ayes and noes were called, with the following result:

Those who voted in the affirmative are—

Messrs. Brazee, Hancock, Henry, Heckert, Jessee, Knapp, Kelley, Longmire, McGilvra, O'Bryant, Pollock, Page, Ruth, Rees, Robinson, Simmons, Smith, Van Bokkelen and Mr. Speaker—19.

Those who voted in the negative are—

Messrs. Clymer, Clarke, Eldridge, Ford, Harmon, Huntington, Temple, and Young—8.

Bill passed and title agreed to.

On motion of Mr. Simmons,

The clerk was instructed to report immediately to the Council the passage of the bill.

The Speaker announced that he was about to sign the following:

Substitute for C. B. 9—An act amending an act entitled "an act to regulate marriages," approved January 20, 1866.

H. B. 73—An act in relation to grand and petit jurors.

H. B. 64—An act appropriating money to aid in the construction and repair of certain roads.

H. B. 83—An act supplemental to an act entitled "an act to amend an act to incorporate the city of Port Townsend, Jefferson county," passed January 16, 1860, and to repeal all other acts in relation thereto.

H. B. 71—An act to amend an act entitled "an act to provide for the formation of corporations for certain purposes."

H. B. 59—An act to authorize H. L. Tibbals, A. Hibbard and their associates to build a wharf at Port Townsend.

H. B. 14—An act for the relief of I. L. Roberts.

H. B. 68—An act to authorize the county commissioners of Skamania county to purchase the wagon road built by E. C. Hardy.

H. B. 97—An act to further amend "an act entitled an act to incorporate the city of Vancouver."

H. J. R. 21—Relative to the distribution of muskets.

H. B. 50—An act to appoint viewers to review and relocate that part of the Territorial road which lies between Vancouver and the foot of Cape Horn Mountain.

H. B. 70—An act to amend an act entitled "an act defining the jurisdiction and practice in the probate courts in Washington Territory,"

C. B. 20—An act in relation to landlord and tenent.

C. B. 4—An act to provide for the execution and acknowledgment of deeds out of this Territory.

C. B. 28—An act to appropriate money for the making of a map of the Territory.

C. J. M. 4—Relative to the homestead and pre-emption acts.

On motion of Mr. McGilvra,

The House took a recess of one hour.

AFTERNOON SESSION.

House re-assembled.

C. B. 22—An act to provide for the assessing and collecting of Territorial and county revenue.

The bill was read third time, passed and title agreed to.

House concurred in Council amendment to

H. B. 12—An act to amend an act to regulate fees and costs.

C. B 33—An act to provide for the payment of a certain sum of money for the payment of William R. Downey for labor and services on military road over Naches pass.

Bill read first time.

On motion of Mr. Robinson,

The rules were suspended and the bill read second time by title.

On motion of Mr. Smith,

Bill referred to committee on Claims.

The following message was received from the Council by their clerk:

COUNCIL CHAMBER,
January 26, 1867.

MR. SPEAKER—

I am instructed by the Council to inform the House of the introduction and passage by the Council of the following:

C. B. 56—An act for the relief of the Sisters of Charity of the House of Providence.

Also of the passage of the following:

H. B. 34—An act to amend an act entitled "an act relating to elections and the mode of supplying vacancies,"

N. S. PORTER,
Chief Clerk.

Substitute for C. B. 35 and 36—An act to amend "an act to regulate the practice and proceedings in civil actions in the district courts," passed January 28, 1863.

Bill read first time.

On motion of Mr. Clymer,

The rules were suspended and the bill read second time by title.

On motion of Mr. Longmire,

Bill referred to committee on Judiciary.

Mr. Page, of Walla-walla, introduced

H. J. R. 29—Authorizing the enrolling clerk to employ an assistant.

Resolution read first time.

On motion of Mr. Knapp,

Rules were suspended and the resolution read second time.

On motion of Mr. Simmons,

The rules were further suspended and resolution read third time and passed.

H. B. 40—An act to establish a code commission, appoint a commissioner and provide for his compensation.

Bill read first time.

On motion of Mr. O'Bryant,

The rules were suspended and the bill read second time by title.

Mr. Simmons moved to indefinitely postpone the bill.

Motion carried.

C. B. 47—An act authorizing C. H. Hale to build a wharf on first street in the town of Olympia.

Bill read first time.

On motion of Mr. Simmons,

The rules were suspended and the bill read second time by title.

On motion of Mr. Harmon,

Bill referred to committee on Corporations.

The House adhered to its amendments to

C. J. M. 3—Asking certain persons in Pierce and Lewis

counties to be confirmed in their titles to their claims, and asked a committee of conference.

C. B. 56—An act for the relief of the Sisters of Charity of the House of Providence.

Bill read first time.

On motion of Mr. Jessee,

The rules were suspended and the bill read second time by title.

On motion of Mr. Knapp,

Bill referred to committee on Ways, Means and Claims, with instructions to print.

H. B. 34—An act relating to elections and the mode of filling vacancies.

Bill read first time.

On motion of Mr. Longmire,

The rules were suspended and the bill read second time by title.

On motion of Mr. Knapp,

Bill referred to committee on Elections.

H. B. 63—An act to provide for the assessing and collecting of school and Territorial revenue, was taken up.

On motion of Mr. Jessee,

The bill was indefinitely postponed.

Mr. Eldridge moved to reconsider the vote by which

C. B. 22—An act to provide for the assessing and collecting of Territorial and county revenue, was passed.

Motion carried.

Bill amended, read third time, passed and title agreed to.

H. B. 80—An act defining the county lines of Washington Territory.

Bill read third time, passed and title agreed to.

C. B. 7 was indefinitely postponed.

H. B. 88—An act to amend an act, entitled "an act to pro-

vide for the assessing and collecting Territorial and county revenue," passed January 29, 1864.

On motion of Mr. Van Bokkelen,

The bill was indefinitely postponed.

C. B. 29—An act authorizing the school directors of school district number six in Clarke county, W. T., to levy a special tax for school purposes.

Bill read second time.

On motion of Mr. Heckert,

Bill referred to delegation from Clarke county.

On motion of Mr. Ford,

The House adjourned.

CHAS. EAGAN,
Chief Clerk.

HOUSE OF REPRESENTATIVES,
Monday, January 28, 1867.

House met pursuant to adjournment.

Mr. Speaker in the chair.

Roll called. Present—Messrs. Brazee, Clymer, Clarke, Eldridge, Ford, Hancock, Henry, Harmon, Heckert, Huntington, Jesse, Knapp, Kelly, Longmire, Morgan McGilvra, O'Bryant, Pollock, Page, Rees, Ruth, Robinson, Smith, Simmons, Temple, Van Bokkelen and Young.

Absent—Messrs. Barstow and Jacobs.

Prayer by the Chaplain.

Journal of Saturday read and approved.

Mr. Brazee, from committee on Corporations, presented report relative to

C. B. 47—An act authorizing C. H. Hale to build a wharf on First Street in the town of Olympia.

Mr. Simmons, chairman of the Judiciary committee, presented report relative to

Substitute for C. B. 35 and 36—An act to amend an act entitled "an act to regulate the practice and proceedings in civil actions in the district courts."

C. B. 53—An act in relation to writs of mandate and prohibition.

C. B. No. 12—An act to fix the time for holding the terms of the supreme and district courts of the Territory of Washington,

Substitute for C. B. 17—An act in relation to attachments in civil actions.

C. B. 50—An act in relation to future control of Territorial convicts, and to employ them upon penitentiary grounds and buildings.

H. B. 112—An act in relation to the labor of penitentiary convicts.

H. B. 115—An act to make probate judges ex-officio auditor and ex-officio school superintendent.

Mr. Rees, from committee on Elections, presented report relative to

H. B. 34—An act to amend an act entitled "an act relating to elections and the mode of supplying vacancies."

Mr. Longmire, from Select committee, presented report relative to

H. B. 109—An act to amend an act regulating fees of certain officers of Thurston county.

Mr. Page, from committee on Enrolled Bills, submitted the following report:

MR. SPEAKER—

Your committee on Enrolled Bills have compared the following, and find them correctly enrolled:

H. B. 92—An act to appoint officers and locate the county seat of Yakima county.

H. B. 19—An act in relation to the construction of roads

and highways in Washington Territory, and defining the duties of road supervisors.

THOS. P. PAGE,
Chairman.

Mr. Pollock in the chair.

Mr. Miles, of Lewis, introduced

H. B. 117—An act for the relief of Lewis county.

Bill read first time.

On motion of Mr. Ford,

The rules were suspended and the bill read second time by title.

On motion of Mr. McGilvra,

Bill referred to committee on Judiciary.

Mr. Clymer, of King, introduced

H. B. 118—An act supplemental to an act entitled "an act to amend an act for the formation of corporations for certain purposes."

Bill read first time.

On motion of Mr. Rees,

The rules were suspended and the bill was read second time.

On motion of Mr. Page,

Bill referred to committee on Corporations.

Mr. Van Bokkelen, of Stevens, introduced

H. B. 119—An act in relation to proceedings against garnishees.

Bill read first time.

On motion of Mr. Van Bokkelen,

The rules were suspended and the bill read second time by title.

On motion of Mr. Van Bokkelen,

The rules were further suspended and the bill read third time, passed and title agreed to.

Business on the table.

The following report was taken up:

MR. SPEAKER—

Your Select committee to whom was referred

H. B. 109—An act to amend an act regulating fees of certain officers in Thurston county,

Have had the same under consideration and ask leave to report it back and recommend that it do not pass.

JAMES LONGMIRE,
Chairman.

Mr. Simmons moved that the bill be indefinitely postponed.

Motion carried.

The following report of the committee on Elections was taken up:

MR. SPEAKER—

Your committee on Elections, to whom was referred

Council substitute for H. B. 34—An act to amend an act entitled "an act relating to elections and the mode of supplying vacancies,"

Have had the same under consideration and have instructed me to report the same back without recommendation.

R. R. REES,
Chairman.

Council substitute for H. B. 34—An act to amend an act entitled "an act relating to elections and the mode of supplying vacancies."

Bill read third time, passed and title agreed to.

Substitute for C. B. 17—An act in relation to attachments in civil actions.

Mr. Knapp moved the indefinite postponement of the bill.

On this motion the ayes and noes were called with the following result:

Those who voted in the affirmative are—

Messrs. Brazee, Clarke, Hancock, Henry, Heckert, Jessee, Knapp, Kelley, O'Bryant, Rees, Simmons, Van Bokkelen and Mr. Speaker—13.

Those who voted in the negative are—

Messrs. Clymer, Eldridge, Ford, Harmon, Huntington, Morgan, McGilvra, Pollock, Page, Ruth, Robinson, Longmire, Temple and Young—14.

Motion lost.

The following message was received from the Council by their clerk:

COUNCIL CHAMBER,
January 28, 1867.

MR. SPEAKER—

I am instructed by the Council to inform the House of the introduction and passage by the Council of the following:

C. B. 54—An act to repeal an act entitled "an act to appropriate money for the construction of certain roads."

C. B. 55—An act in relation to taxing stock.

Also the introduction of

C. B. 57—An act for the relief of Walla-walla county and the citizens thereof.

Also of the passage of

H. B. 79—An act for the relief of Stevens county, with amendments.

C. B. 52—An act for the relief of Pierce county.

H. B. 41—An act establishing a common school system for the Territory of Washington, with amendments.

H. B. 98—An act to authorize Morris Frost to build a wharf at Muckelteo, Snohomish county.

C. B. 49—An act in relation to Territorial warrants.

H. B. 104—An act to authorize W. B. Fish and others to fix the channel of a certain stream, with amendments.

H. J. R. 26—Relative to purchasing the Gardner shackle.

H. B. 106—An act to incorporate the stuck milling and log driving company.

H. J. M. 21—Praying Congress to donate eighty-five sections of land to aid in the construction of a road from Olympia to Monticello.

H. J. R. 17—Relative to the introduction of new business.

H. J. R. 24—Relative to distribution of journals and laws of the Territory.

Also that the Conncil have rejected

H. B. 108—An act to exempt firemen from from serving as jurors.

Also that the President has signed the following:

H. J. R. 21—Relative to distribution of muskets.

H. B. 14—An act for the relief of I. L. Roberts.

H. B. 50—An act to appoint viewers to review and relocate that part of the Territorial road which lies between Vancouver and the foot of Cape Horn Mountain.

H. B. 59—An act to authorize H. L. Tibbals, A. Hibbard and their associates to build a wharf at Port Townsend.

H. B. 64—An act appropriating money to aid in the construction and repair of certain roads.

H. B. 68—An act to authorize the county commissioners of Skamania county to purchase the wagon road built by E. C. Hardy.

H. B. 70—An act to amend an act entitled "an act defining the jurisdiction and practice in the probate courts in Washington Territory."

H. B. 71—An act to amend an act entitled "an act to provide for the formation of corporations for certain purposes.'

H. B. 73—An act in relation to grand and petit jurors.

H. B. 83—An act supplemental to an act entitled "an act to amend an act to incorporate the city of Port Townsend, Jefferson county," passed January 16, 1860, and to repeal all other acts in relation thereto.

H. B. 97—An act to further amend "an act entitled an act to incorporate the city of Vancouver."

Also that the following have been reported correctly enrolled:

C. B. 30—An act to provide for the organization of a fire department in Vancouver, Clarke county.

C. B. 31—An act to amend an act entitled "an act in relation to attorneys and counsellors at law."

And the same are herewith transmitted for the signature of the Speaker.

N. S. PORTER,
Chief Clerk.

The following report was taken up:

MR. SPEAKER—

The committee on Judiciary to whom was referred

Substitute for C. B. 35 and 36—An act to amend "an act to regulate the practice and proceedings in civil actions in the district courts," passed January 28, 1863,

Have had the same under consideration, and have instructed me to report the same back and recommend its passage.

A. H. SIMMONS,
Chairman.

Substitute for C. B. 35 and 36—An act to amend an act entitled an act to amend an act to regulate the practice and proceedings in civil actions in the district courts, passed January 28, 1863, was taken up.

Bill read third time, passed and title agreed to.

H. B. 112—An act in relation to Territorial convicts, was indefinitely postponed.

C. B. 50—An act in relation to Territorial convicts.

Bill read third time, passed and title agreed to.

H. B. 115 was indefinitely postponed.

C. B. 53—An act in relation to writs of mandate and prohibition.

Bill read third time, passed and title agreed to.

C. B. No. 12—An act to fix a time for holding the terms of the supreme and district courts of the Territory of Washington, was indefinitely postponed.

C. B. 47—An act to authorize C. H. Hale to build a wharf on First street in the town of Olympia.

Bill read third time, passed and title agreed to.

H. B. 118—An act supplemental to an act entitled "an act to amend an act for the formation of corporations for certain purposes."

Bill read third time, passed and title agreed to.

Business from the Council.

C. B. 52—An act for the relief of Pierce county.

Bill read first time.

On motion of Mr. Van Bokkelen,

Bill referred to committee on Ways, Means and Claims.

On motion of Mr. Knapp,

The House concurred in Council amendments to

H. B. 41—An act establishing a common school system for the Territory of Washington.

C. B. 49—An act in relation to Territorial warrants.

Bill read first time.

On motion of Mr Rees,

Bill referred to committee on Judiciary, with instructions to print.

On motion of Mr. Longmire,

House concurred in Council amendment to

H. J. M. 21—Praying Congress to donate eighty-five sections of land to aid in the construction of a road from Olympia to Monticello.

The following message was received from the Council by their Clerk:

COUNCIL CHAMBER,
January 28, 1867.

MR. SPEAKER—

I am instructed by the Council to inform the House of the passage by the Council of the following:

C. B. 44—An act in relation to the Territorial University, and that a printed bill was substituted for the original bill.

N. S. PORTER,
Chief Clerk.

On motion of Mr. Van Bokkelen,

House concurred in Council amendments to

H. B. 104—An act to authorize W. B. Fish and others to fix the channel of a certain small stream.

On motion of Mr. Simmons,

The House concurred in Council amendments to

H. B. 79—An act for the relief of Stevens county.

Council substitute for H. B. 39—An act in relation to taxing stock.

Bill read third time, passed and title agreed to.

C. B. 44—An act in relation to the Territorial University. Bill read first time.

On motion of Mr. Heckert,

The rules were suspended and the bill read second time by title.

On motion of Mr. Kelley,

Bill referred to committee on Education.

On motion of Mr. Eldridge,

The House adjourned.

CHAS. EAGAN,
Chief Clerk.

HOUSE OF REPRESENTATIVES,
Tuesday, January 29, 1867.

House met pursuant to adjournment.

Mr. Speaker in the chair.

Roll called. Present—Messrs. Brazee, Clymer, Clarke, Eldridge, Hancock, Henry, Harmon, Heckert, Huntington, Jesse, Knapp, Kelly, Longmire, Morgan, McGilvra, O'Bryant, Pollock, Rees, Ruth, Robinson, Simmons, Temple and Young.

Absent—Messrs. Barstow and Jacobs.

Journal of yesterday read and approved.

The Speaker announced that he was about to sign the following:

C. B. 30—An act to provide for the organization of a Fire Department at Vancouver.

Council substitute for H. B. 92—An act to appoint officers and locate the county seat of Yakima county.

C. B. 31—An act to amend an act entitled an act in relation to attorneys and counsellors at law, passed Jan. 24, 1863.

Substitute for H. B. 19—An act in relation to the construction of roads and highways in Washington Territory, and defining the duties of road supervisors.

Substitute for H. B. 78—An act for the relief of Jefferson county.

H. J. R. 20—An act to provide for the binding of a copy of the laws, journals and decisions of the supreme court.

H. J. R. 18—Relative to printing certain acts.

H. B. 3—An act in relation to the public roads in Stevens county.

H. B. 11—An act to secure to orphans and other children in the Territory of Washington a common school education.

H. B. 94—An act in relation to the road Territorial from Bisfort to Monticello.

The following message was received from his Excellency Governor Cole:

EXECUTIVE OFFICE,
Olympia, W. T., January 29, 1867.

HON. HENRY MILES,
Speaker of the House of Representatives:

SIR—I have the honor to inform your honorable body that I have examined, approved and caused to be filed in the office of the Secretary of the Territory, the following Legislative acts, to-wit:

H. B. 61—An act authorizing J. M. and Robert Russell to construct a ferry on White river.

H. B. 44—An act to authorize J. M. Vansycle to establish a ferry at Wallula.

H. B. 48—An act to repeal an act in relation to sale of school lands.

H. B. 18—An act to permanently locate and build a penitentiary of the Territory of Washington.

H. B. 103—An act to amend an act entitled "an act in relation to crimes and punishments, and proceedings in criminal cases."

H. B. 24—An act for the payment of Levi Farnsworth, exploring commissioner.

H. B. 75—An act to repeal an act entitled "an act relative to the county of Skamania."

H. B. 81—An act legalizing the acts of the county commissioners of Walla-walla county.

H. B. 35—An act to locate the county seat and appoint officers for Klikitat county.

H. B. 72—An act to authorize L. Stilwell and others to construct a ditch for irrigating and manufacturing purposes in Walla-walla county.

H. B. 46—An act to authorize Wm. Dargrow to establish a ferry on Snake river.

H. B. 87—An act to amend an act to regulate fees and costs, passed January 28, 1863.

H. B. 42—An act to establish a standard for the measure of clapboards and shakes.

Substitute for H. B. 20—An act relating to the registration of county orders.

H. B. 65—An act authorizing the commissioners of King county to borrow money for the purpose of building bridges and opening roads in King county.

H. B. 90—An act to provide for a district recorder for the Skagit mining district.

H. B. 89—An act in relation to the Skagit mining district.

H. B. 82—An act to repeal an act entitled "an act in relation to dogs in Island county.

H. B. 85—An act relative to the county seat of Kitsap county.

H. B. 25—An act to repeal an act to locate a road in Clarke county.

H. B. 62—An act supplemental to an act to repeal an act to incorporate the town of Seattle.

I have the honor to be,

Very respectfully,

Your obedient servant,

GEORGE E. COLE,

Governor of Washington Territory.

Mr. Simmons, chairman of the Judiciary committee, presented report relative to

C. B. 49—An act in relation to Territorial warrants.

H. B. 117—An act for the relief of Lewis county.

Mr. Page, from committee on Enrolled Bills, submitted the following report:

MR. SPEAKER—

Your committee on Enrolled Bills have compared the following, and find them correctly enrolled:

H. J. R. 18—Relative to printing certain acts.

H. B. 78—An act for the relief of Jefferson county.

H. J. R. 22—Relative to appropriation for repair of military road from Monticello to Skookum Chuck.

H. J. R. 20—To provide for the binding of a copy of the laws and journals.

H. B. No. 3—Relative to the public roads in Stevens county.

Substitute for H. B. 11—An act to secure to orphans and other children, a common school education.

H. B. 94—An act in relation to a Territorial road from Boisefort plain to Monticello, in Cowlitz county.

THOS. P. PAGE,
Chairman.

Mr. O'Bryant, from the committee on Ways, Means and Claims, presented report relative to

C. B. 48—An act for the relief of the sheriff of Pierce county.

C. B. 52—An act for the relief of Pierce county.

C. B 33—An act to provide for the payment of a certain sum of money for the payment of William R. Downey for labor and services on military road over Naches pass.

H. B. 77—An act for the relief of H. C. Morse, sheriff of Clarke county.

Mr. Simmons from the committee on Conference, submitted the following report:

MR. SPEAKER—

The committee on Conference to whom was referred

H. B. 66—An act for the relief of R. H. Hewitt and John M. Murphy,

Herewith return the same, and they have agreed to recommend that the House concur in the Council amendments, believing the clause stricken out to be of no service.

A. H. SIMMONS,
Chairman.

On motion of Mr. Van Bokkelen,

The report of the committee was adopted.

Mr. Kelley, from committee on Education, presented report relative to

C. B. 44—An act in relation to the Territorial University.

Mr. Knapp, from Select committee, presented report relative to

C. B. 29—An act authorizing the school directors of school district number six in Clarke county, W. T., to levy a special tax for school purposes.

Third reading of bills.

Substitute for C. B. 17—An act in relation to attachments in civil actions.

Bill read third time.

On the final passage of the bill, the ayes and noes were called, with the following result:

Those who voted in the affirmative are—

Messrs. Clymer, Eldridge, Ford, Morgan, McGilvra, Ruth, Robinson, Temple and Young—9.

Those who voted in the negative are—

Messrs. Brazee, Hancock, Henry, Heckert, Harmon, Huntington, Jessee, Knapp, Kelley, Longmire, O'Bryant, Pollock, Page, Rees, Clarke, Simmons, Van Bokkelen and Speaker—18.

Bill lost on final passage.

Mr. Simmons, chairman of committee on Judiciary, submitted the following report:

MR. SPEAKER—

The committee on Judiciary to whom was referred

C. B. 49—An act in relation to Territorial warrants,

Herewith return the same and recommend amendments.

A. H. SIMMONS,
Chairman.

Bill read third time, passed and title agreed to.

Mr. Kelley, chairman of committee on Education, submitted the following report:

MR. SPEAKER—

Your committee on Education to whom was referred

C. B. 44—An act in relation to the Territorial University,

Report the same back without action thereon.

N. T. KELLEY,
Chairman.

C. B. 44—An act in relation to the Territorial University, was taken up.

Mr. Clymer moved to lay the bill on the table.

Motion lost.

Mr. Simmons moved that the rules be now suspended and the bill read third time.

On this motion the ayes and noes were called with the following result:

Those who voted in the affirmative are—

Messrs. Brazee, Hancock, Henry, Harmon, Huntington, Knapp, Kelley, Longmire, McGilvra, O'Bryant, Pollock, Page, Rees, Ruth, Robinson, Simmons, Jessee, and Mr. Speaker—18.

Those who voted in the negative are—

Messrs. Clymer, Clarke, Eldridge, Ford, Heckert, Morgan, Temple, Van Bokkelen and Young—9. Motion carried.

Upon the passage of the bill the ayes and noes were called with the following result:

Those who voted in the affirmative are—

Messrs. Brazee, Clarke, Eldridge, Ford, Hancock, Henry, Harmon, Heckert, Huntington, Jessee, Knapp, Kelly, Longmire, Morgan, McGilvra, O'Bryant, Pollock, Page, Rees, Ruth, Robinson, Simmons, Temple and Mr. Speaker—24.

Those who voted in the negative are—

Messrs. Clymer, Van Bokkelen and Young—3.

Bill passed and title agreed to.

The following report was taken up:

MR. SPEAKER—

The committee on Ways, Means and Claims, to whom was referred

H. B. 77—An act for the relief of H. C. Morse, sheriff of Clarke county,

Have had the same under consideration, and have instructed me to report the same back without recommendation.

H. D. O'BRYANT,
Chairman.

On motion of Mr. Jessee,

The bill was indefinitely postponed.

The following message was received from the Council by their clerk:

COUNCIL CHAMBER,
January 29, 1867.

MR. SPEAKER—

I am instructed by the Council to inform the House of the passage by the Council of the following:

H J. M. 18—Praying for an appropriation for the improvement of the rivers of Washington Territory.

H. B. 101—An act for relief of E. G. Parker, deputy sheriff of Walla-walla county.

H. B. 114—An act for the relief of U. E. Bozarth.

H. B. 103—An act to amend an act entitled an act relating to crimes and punishments and proceedings in criminal cases.

C. B. 54—An act in relation to road taxes in Kitsap county.

C. B. 51—An act in relation to future control of Territorial convicts.

H. B. 113—An act to protect sheep and wool growers in certain counties.

H. J. R. 29—Authorizing the enrolling clerk to employ an assistant.

H. J. R. 28—Relative to the distribution of the road and school laws.

H. B. 116—An act in relation to the terms of the district courts in the first judicial district.

Also that the Council concur in House amendments to

H. B. 34—An act to amend an act entitled "an act relating to elections and the mode of supplying vacancies."

C. B. 53—An act in relation to writs of mandate and prohibition.

Also that the Council refuse to pass

H. B. 67—An act legalizing certain acts of the county commissioners of Pierce county.

H. B. 111—An act to repeal an act entitled "an act in relation to the city recorder of Vancouver."

Also the introduction of

C. B. 58—An act to incorporate the Olympia Good Templar's Hall Association of the town of Olympia.

Also of the introduction and passage in the Council of

C. B. 59—An act to provide for the pay of an assistant enrolling clerk and the chief clerks of the House and Council.

N. S. PORTER,
Chief Clerk.

Mr. O'Bryant, from committee on Ways, Means and Claims, submitted the following report:

MR. SPEAKER—

Your committee on Ways, Means and Claims, to whom was referred

C. B. 56—An act for the relief of the Sisters of Charity of the House of Providence,

Report that they have had the same under consideration, and report that from information collected by them, they found that Hon. Wm. Pickering, late Governor, refused to sign a contract with the Sisters with the words "gold coin or its equivalent" inserted in it, and had the same erased, as he held that he could enter into no contract except payable in the currency of the United States. At the time the contract was advertised for, gold was worth 132 in San Francisco; currency 75⅔.

Again, during the session of 1863-4, the Sisters applied to this body for relief in consequence of the depreciation of the currency, it then being worth but 50 cents. This body then made them preferred creditors.

If the contract was for gold, they should have asked for it at that time.

We find that the Territory has not complied with its part of the contract in paying the Sisters of Charity regularly every quarter, and that they are justly entitled to interest on the same at the rate of 10 per cent. per annum on the various quarterly payments from the time they were due till paid; we therefore report the bill back with a substitute.

H. D. O'BRYANT,
Chairman.

On the adoption of the substitute the ayes and noes were called with the following result:

Those who voted in the affirmative are—

Messrs. Clymer, Ford, Henry, Harmon, Huntington, Jessee, Kelley, Longmire, Morgan, McGilvra, O'Bryant, Pollock, Rees, Ruth, Robinson, Simmons, Temple, Van Bokkelen, Young—19.

Those who voted in the negative are—

Messrs. Brazee, Clarke, Eldridge, Hancock, Heckert, Knapp, Page and Mr. Speaker—8. Substitute adopted.

Bill read first time.

The rules were suspended and the bill read second time by title.

Pending the discussion, the Speaker appointed Messrs. McGilvra, Huntington and Longmire as a committee of conference on the part of the House relative to

C. B. 45—An act relating to the sheriff of Clarke county.

Substitute for C. B. 35 and 36—An act to amend an act entitled "an act to regulate the practice and proceedings in civil actions in the district courts."

C. B. 22—An act to provide for the assessing and collecting of Territorial and county revenue.

The following message was received from the Council by their Clerk:

COUNCIL CHAMBER,
January 29, 1867.

MR. SPEAKER—

I am instructed by the Council to inform the House that the Council refuse to concur in House amendments to

Substitute for C. B. 35 and 36—An act to amend an act entitled an act to amend an act to regulate the practice and proceedings in civil actions in the district courts, passed January 28, 1863.

C. B. 22—An act to provide for the assessing and collecting of Territorial and county revenue.

C. B. 45—An act relating to the sheriff of Clarke county.

N. S. PORTER,
Chief Clerk.

On motion of Mr. Brazee,

The House took a recess of one hour.

AFTERNOON SESSION.

House re-assembled.

Mr. Page, from committee on Enrolled Bills, submitted the following report:

MR. SPEAKER—

Your committee on Enrolled Bills have compared the following, and find them correctly enrolled:

H. B. 113—An act to protect sheep and wool growers in certain counties,

H. B. 55—An act to incorporate the Coal Creek Road Company.

H. B. No. 12—An act to amend an act entitled "an act to regulate fees and costs."

H. B. 54—An act in relation to the Territorial library.

H. B. 106—An act to incorporate the Stuck milling and log driving company,

Substitute for H. B. 32—An act to provide for the care and safe keeping of insane and idiotic persons.

Substitute for H. B. 15—An act to protect sheep and wool growers,

H. J. R. 17—Relative to the introduction of new business.

H. J. R. 24—Relative to distribution of journals and laws of the Territory.

H. B. 47—An act in relation to insolvent debtors.

H. B. 98—An act to authorize Morris H. Frost and associates to build a wharf at Muckelteo.

THOS. P. PAGE,
Chairman.

The following message was received from his Excellency Gov. Cole:

EXECUTIVE OFFICE,
Olympia, W. T., January 29, 1867.

HON. HENRY MILES,
Speaker of the House of Representatives:

SIR—I have the honor to inform your honorable body that I have examined, approved, and will cause to be duly filed with the Secretary of the Territory, the following Legislative acts:

H. B. 14—An act for the relief of Isaac L. Roberts.

H. B. 97—An act to further amend an act entitled "an act to incorporate the city of Vancouver."

H. B. 83—An act supplemental to an act entitled an act to amend an act to incorporate the city of Port Townsend, Jefferson county, W. T., passed January 16, 1860, and to repeal all other acts in relation thereto.

H. B. 73—An act in relation to grand and petit jurors.

H. B. 71—An act to amend an act entitled "an act to provide for the formation of corporations for certain purposes," approved January 27, 1866.

H. B. 68—An act authorizing the county commissioners of Skamania county to purchase the wagon road built by E. C. Hardy.

H. B. 59—An act to authorize H. L. Tibbals and A. Hibbard to build a wharf at Port Townsend.

H. B. 50—An act to appoint viewers to review and relocate that part of the Territorial road leading from Monticello to the Upper Cascades, which lies between Vancouver and the foot of Cape Horn mountain.

H. B. 64—An act to appropriate money to aid in the construction and repair of certain roads.

I have the honor to be,

Very respectfully,

Your obedient servant,

GEORGE E. COLE,

Governor of Washington Territory.

Substitute for C. B. 56—An act for the relief of the Sisters of Charity of the House of Providence, was taken up.

On motion of Mr. Clymer,

The rules were suspended and the bill read third time, passed and title agreed to.

Mr. O'Bryant, from committee on Ways, Means and Claims, submitted the following report:

MR. SPEAKER—

Your committee on Ways, Means and Claims, to whom was referred

C. B. 48—An act for the relief of the sheriff of Pierce county,

Have had the same under consideration, and have instructed me to report the same back and recommend its passage.

H. D. O'BRYANT,

Chairman.

C. B. 48—An act for the relief of the sheriff of Pierce county.

Bill read second time.

On motion of Mr. Kelley,

The rules were suspended and the bill read third time, passed and title agreed to.

The following report was taken up:

MR. SPEAKER—

Your committee on Ways Means and Claims, to whom was referred

C. B. 52—An act for the relief of Pierce county,

Have had the same under consideration and ask leave to report it back and recommend that it do not pass.

H. D. O'BRYANT,
Chairman.

C. B. 52—An act for the relief of Pierce county.

Mr. Knapp moved an indefinite postponement of the bill.

Motion lost.

On the final passage of the bill, the ayes and noes were called, with the following result:

Those who voted in the affirmative are—

Messrs. Clarke, Eldridge, Ford, Harmon, Heckert, Kelley, Longmire, McGilvra, Page, Ruth, Robinson, Temple, Van Bokkelen and Young—14.

Those who voted in the negative are—

Messrs. Brazee, Clymer, Hancock, Huntington, Jessee, Knapp, O'Bryant, Pollock, Rees, Simmons and Speaker—11.

Bill passed and title agreed to.

H. B. 74—An act to authorize T. J. Demers and others to establish a ferry on Pen-d'-oreille river.

Bill read second time.

On motion of Mr Rees,

The rules were suspended and the bill read third time, passed and title agreed to.

C. B. 51—An act in relation to future control of Territorial convicts.

Bill read first time.

On motion of Mr. Longmire,

The rules were suspended and the bill read second time by title.

On motion of Mr. Van Bokkelen,

Bill referred to committee on Judiciary.

C. B. 54—An act in relation to road tax in Kitsap county.

Bill read first time.

On motion of Mr. Simmons,

The rules were suspended and the bill read second time by title.

On motion of Mr. Van Bokkelen,

The rules were further suspended and the bill read third time, passed and title agreed to.

C. B. 59—An act to provide for the pay of an assistant enrolling clerk, chief clerk of the House and the chief clerk of the Council.

Bill read first time.

On motion of Mr. Van Bokkelen,

The rules were suspended and the bill read second time by title.

On motion of Mr. Heckert,

The rules were further suspended and the bill read third time, passed and title agreed to.

On motion of Mr. Jessee,

The House adjourned.

CHAS. EAGAN,
Chief Clerk.

HOUSE OF REPRESENTATIVES,
Wednesday, January 30, 1867.

House met pursuant to adjournment.

Mr. Speaker in the chair.

Roll called. Present—Messrs. Brazee, Clymer, Clarke, Eldridge, Hancock, Henry, Harmon, Heckert, Huntington, Jesse, Knapp, Kelly, Longmire, Morgan, McGilvra, O'Bryant, Pollock, Rees, Ruth, Robinson, Simmons, Temple and Young.

Absent—Messrs. Barstow and Jacobs.

Journal of yesterday read and approved.

Mr. Van Bokkelen, chairman of Joint Select committee, submitted the following report:

MR. SPEAKER—

Your committee who was appointed in accordance with H. J. R. 26, beg leave to report that they have examined the Gardiner shackle and stirrup, and that in their opinion it is a valuable invention, and one which the States and Territories have long been in need of; in consideration of which they would recommend that the Territory purchase of the patentee twenty-five set of the same as soon as the Territory is in funds to pay for the same.

All of which is respectfully submitted.

J. J. H. VAN BOKKELEN,
Chairman.

Mr. Page, chairman of the committee on Enrolled Bills, submitted the following report:

MR. SPEAKER—

Your committee on Enrolled Bills have compared the following bills with the original copies and find them correctly enrolled:

Substitute for H. B. 79—An act for the relief of Stevens county.

H. J. R. 28—Relative to the publication of the school and road laws.

H. B. 104—An act to authorize W. B. Fish and others to fix the channel of a certain small stream.

H. B. 101—An act for the relief of E. G. Parker, deputy sheriff of Walla-walla county.

H. J. R. 29—Authorizing the Enrolling clerk to employ an assistant.

T. P. PAGE,
Chairman.

The Speaker announced that he was about to sign the following:

H. J. R. 28—Relative to the distribution of the road and school laws.

H. B. 104—An act to authorize W. B. Fish and others to fix the channel of a certain stream.

H. B. 101—An act for the relief of E. G. Parker, deputy sheriff of Walla-walla county.

H. J. R. 29—Authorizing the Enrolling clerk to employ an assistant.

H. J. R. 17—Relative to introduction of new business.

H. B. 54—An act in relation to the Territorial library.

H. J. R. 4—Relative to the distribution of the laws and journals of the Territory.

Substitute for H. B. 15—An act to protect sheep and wool growers.

H. B. 55—An act to incorporate the Coal Creek Road Company.

H. B. 106—An act to incorporate the Stuck Milling and Log Driving Company.

H. B. 113—An act to protect sheep and wool growers in certain counties.

H. B. 98—An act to authorize Morris Frost to build a wharf at Muckelteo, Snohomish county.

H. B. 47—An act in relation to insolvent debtors.

H. B. 12—An act to amend an act to regulate fees and costs.

C. B. 39—An act in relation to change of venue in certain cases.

C. B. 43—An act in relation to the forfeiture of recognizances.

C. B. 47—An act to authorize C. H. Hale to build a wharf on First street in the town of Olympia.

An act in relation to prosecuting attorneys.

An act for the relief of Kitsap county.

The following report was taken up:

MR. SPEAKER—

Your Special committee, to whom was referred

C. B. 29—An act authorizing the school directors of school district number six in Clarke county, W. T., to levy a special tax for school purposes,

Have had the same under consideration, and instruct me to

report the same back to the House and recommend its passage.

H. M. KNAPP,
Chairman.

C. B. 29—An act authorizing the school directors of school district number six in Clarke county, W. T., to levy a special tax for school purposes.

Bill read third time, passed and title agreed to.

H. B. 117—An act for the relief of Lewis county, was indefinitely postponed.

The following message was received from the Council by their clerk:

COUNCIL CHAMBER,
January 30, 1867.

MR. SPEAKER—

I am instructed by the Council to inform the House of the passage by the Council of the following:

C. B. 57—An act for the relief of the county of Wallawalla and the citizens thereof.

H. B. 110—An act to amend an act to review and locate a Territorial road from Claquato to Fort Willopa.

C. B. 37—An act to exempt certain property from execution and attachment.

C. B. 58—An act to incorporate the Olympia Good Templar's Hall Company.

H. B. 105—An act to fix the time for holding the county commissioners conrts in certain counties.

C. B. 54—An act to repeal an act entitled "an act to appropriate money for the construction of certain roads."

H. B. No. 6—An act relative to fences and fence viewers, with amendments.

H. J. R. 27—Relative to the payment of Edward Giddings for Territorial map, with amendments.

H. B. 53—An act amendatory of an act entitled "an act for the preservation of game."

H. B. 51—An act to apportion the members of the Council and the members of the House of Representatives of the Territory of Washington, with amendments.

H. B. 30—An act to provide for the election of county commissioners and defining their duties.

H. B. 80—An act defining the county lines of Washington Territory, with amendments.

Also that the Council refuse to pass

H. B. 118—An act supplemental to an act entitled "an act to amend an act for the formation of corporations for certain purposes."

H. J. M. 19—Praying an appropriation for the construction of government buildings at Olympia.

Also the indefinite postponement of

H. B. 13—An act to amend an act relating to the support of the poor.

Also of the passage of

H. B. 119—An act in relation to proceedings against garnishees.

Also that the Council refuse concur in House amendments to

C. B. 49—An act in relation to Territorial warrants.

Also that the President of the Council has appointed Messrs. Clark and Langford a committee of conference on the part of the Council to confer on amendments to

C. J. M. 3—Asking certain persons in Pierce and Lewis counties to be confirmed in their titles to their claims.

Also that the President has appointed Messrs. Clark and Ferguson a standing committee of conference for this session.

Also that the President of the Council has signed the following:

H. J. R. 18—Relative to printing certain acts.

H. J. R. 20—Providing for the binding of a copy of the laws, journals and decisions of the supreme court of Washington Territory.

H. J. R. 22—Relative to appropriation for repair of military road leading from Monticello to Skookum Chuck.

Substitute for H. B. 3—An act in relation to public roads in Stevens county.

H. B. 11—An act to secure to orphans and other children in the Territory of Washington a common school education.

H. B. 19—An act in relation to the construction of roads and highways in Washington Territory, and defining the duties of road supervisors.

Substitute for H. B. 78—An act for the relief of Jefferson county.

H. B. 92—An act to appoint officers and locate the county seat of Yakima county.

H. B. 94—An act in relation to the road Territorial from Bisfort to Monticello.

And the same are herewith transmitted.

Also that the following have been reported correctly enrolled:

Substitute for C. B. 27—An act for the relief of Kitsap county.

C. B. 34—An act to amend an act entitled "an act in relation to prosecuting attorneys.

C. B. 39—An act in relation to change of venue in certain cases.

C. B. 43—An act in relation to the forfeiture of recognizances.

C. B. 47—An act authorizing C. H. Hale to build a wharf on first street in the town of Olympia.

And the same are herewith transmitted for the signature of the Speaker.

N. S. PORTER,
Chief Clerk.

The Speaker announced that he was about to sign the following:

C. B. 53—An act in relation to writs of mandate and prohibition.

H. B. 39—An act in relation to taxing stock.

C. B. 50—An act in relation to future control of Territorial convicts, and to employ them upon penitentiary grounds and buildings.

H. B. 116—An act in relation to the terms of the district courts in the first judicial district.

H. B. 114—An act for the relief of U. E. Bozarth.

H. B. 103—An act to amend an act entitled an act relating to crimes and punishments and proceedings in criminal cases.

H. J. R. 26—Relative to purchasing the Gardner shackle.

H J. M. 18—Praying for an appropriation for the improvement of the rivers of Washington Territory.

H. B. 66—An act for the relief of R. H. Hewitt and John M. Murphy,

H. B. 41—An act establishing a common school system for the Territory of Washington.

Council substitute for H. B. 34—An act to amend an act entitled "an act relating to elections and the mode of supplying vacancies."

C. B 33—An act to provide for the payment of a certain sum of money for the payment of William R. Downey for labor and services on military road over Naches pass, was indefinitely postponed.

Mr. Page, from committee on Enrolled Bills, submitted the following report:

MR. SPEAKER—

Your committee on Enrolled Bills have compared the following, and find them correctly enrolled:

H. B. 116—An act in relation to district courts in the first judicial district.

H. B. 114—An act for the relief of U. E. Bozarth.

H. B. 103—An act to amend an act entitled "an act relating to crimes and punishments and proceedings in criminal cases," passed January 28, 1863.

H. J. R. 26—Relative to purchasing the Gardner shackle.

H. J. M. 18—Praying an appropriation to improve the rivers of Washington Territory.

Substitute for H. B. 66—An act for the relief of R. H. Hewitt and John M. Murphy.

H. B. 41—An act establishing a common school system for the Territory of Washington.

Council substitute for H. B. 34—An act to amend an act entitled "an act relating to elections and the mode of supplying vacancies."

THOS. P. PAGE,
Chairman.

C. B. 51—An act in relation to future control of Territorial convicts.

Bill read third time, passed and title agreed to.

C. B. 57—An act for the relief of Walla-walla county and the citizens thereof.

Bill read first time.

On motion of Mr. Clymer,

The rules were suspended and the bill read second time by title.

On motion of Mr Rees,

The rules were further suspended and the bill read third time.

On the final passage of the bill, the ayes and noes were called, with the following result:

Those who voted in the affirmative are—

Messrs. Brazee, Heckert, Jessee, O'Bryant, Pollock and Van Bokkelen—6.

Those who voted in the negative are—

Messrs. Clymer, Clarke, Eldridge, Ford, Hancock, Henry, Harmon, Kelley, Morgan, Ruth, Robinson, Simmons, Temple and Speaker—14.

Bill lost on final passage.

The following message was received from the Council by their Clerk:

COUNCIL CHAMBER,
January 30, 1867.

MR. SPEAKER—

I am instructed by the Council to inform the House that the following have been reported correctly enrolled:

C. B. 50—An act in relation to Territorial convicts.

C. B. 53—An act in relation to writs of mandate and prohibition.

C. B. 55—An act in relation to taxing stock.

And the same are herewith transmitted for the signature of the Speaker.

Also of the passage of

H. J. R. 25—Relative to the safe keeping of Territorial property, with amendments.

N. S. PORTER,
Chief Clerk.

The following message was received from the Council by their clerk:

COUNCIL CHAMBER,
January 30, 1867.

MR. SPEAKER—

I am instructed by the Council to inform the House of the passage by the Council of

H. B. 74—An act to authorize T. J. Demers and others to establish a ferry on Pen-d'-oreille river.

Also that the Council refuse to concur in House amendments to

C. B. 59—An act to provide for the pay of an asssistant enrolling clerk.

Also that the Council concur in House amendments to

C. B. 48—An act for the relief of the sheriff of Pierce county.

N. S. PORTER,
Chief Clerk.

H. B. 51—An act to apportion the members of the Council and the members of the House of Representatives of Washington Territory, was taken up.

The question being—"Will the House concur in Council amendments?"

On motion, the previous question was had.

The question was—"Shall the main question now be put?" The House decided in the affirmative.

The question recurring on the motion to concur, the ayes and noes were called, resulting as follows:

Those who voted in the affirmative are—

Messrs. Brazee, Clymer, Eldridge, Ford, Henry, Huntington, Jessee, Morgan, McGilvra, O'Bryant, Pollock, Ruth, Robinson, Simmons, Van Bokkelen and Young—16.

Those who voted in the negative are—

Messrs. Hancock, Heckert, Rees and Mr. Speaker—4.

The House concurred.

On motion of Mr. McGilvra,

The House refused to concur in Council amendments to

H. B. 53—An act to amend an act entitled "an act for the preservation of game."

On motion of Mr. Van Bokkelen,

House concurred in Council amendments to

H. B. 80—An act defining the county lines of Washington Territory.

On motion of Mr. McGilvra,

The House insisted on House amendments to

C. B. 59—An act to authorize the Enrolling clerk to employ an assistant.

C. B. 58—An act to incorporate the Olympia Good Templar's Hall Association of the town of Olympia.

Bill read second time.

On motion of Mr. Ruth,

The rules were suspended and the bill read third time, passed and title agreed to.

On motion of Mr. Heckert,

The House concurred in Council amendments to

H. R. 27—Relative to pay of Edward Giddings for Territorial map.

C. B. 54—An act to repeal an act entitled an act appropriating money to aid in the construction and repair of certain roads.

Bill read first time.

On motion of Mr. Kelley,

The rules were suspended and the bill read second time by title.

On motion of Mr. Longmire,

Bill referred to committee on Judiciary.

The committee reported the bill back.

Mr. Simmons moved to adopt the report.

On this motion the ayes and noes were called with the following result:

Those who voted in the affirmative are—

Messrs. Clarke, Ford, Jessee, O'Bryant, Pollock, Page, Rees, Simmons, Van Bokkelen, Brazee and Mr. Speaker—11.

Those who voted in the negative are—

Messrs. Clymer, Eldridge, Hancock, Henry, Harmon, Heckert, Huntington, Kelley, Longmire, McGilvra, Ruth, Temple and Young—13.

Motion lost.

Mr. Longmire moved to indefinitely postpone the bill.

On this motion the ayes and noes were called with the following result:

Those who voted in the affirmative are—

Messrs. Clarke, Ford, Hancock, Henry, Heckert, Kelley, Longmire, Ruth, Temple and Van Bokkelen—10.

Those who voted in the negative are—

Messrs. Brazee, Clymer, Eldridge, Harmon, Huntington, Jesse, McGilvra, O'Bryant, Pollock, Page, Rees, Simmons, Young and Mr. Speaker—14.

Motion lost.

On motion of Mr. Clymer,

The bill was laid on the table.

On motion of Mr. McGilvra,

The House insisted on House amendments to

C. B. 49—An act in relation to Territorial warrants.

C. B. 37—An act to exempt certain property from execution and attachment.

Bill read first time.

On motion of Mr. Van Bokkelen,

The bill was indefinitely postponed.

On motion of Mr. Eldridge,

The House adjourned.

CHAS. EAGAN,
Chief Clerk.

HOUSE OF REPRESENTATIVES,
Thursday, January 31, 1867.

House met pursuant to adjournment.

Mr. Speaker in the chair.

Roll called. Present—Messrs. Brazee, Clymer, Clarke, Eldridge, Ford, Hancock, Henry, Harmon, Heckert, Huntington, Jesse, Kelly, Longmire, Morgan McGilvra, O'Bryant, Pollock, Page, Rees, Ruth, Robinson, Simmons, Temple, Van Bokkelen and Young.

Absent—Messrs. Barstow, Jacobs, Smith and Knapp.

Mr. Page, chairman of the committee on Enrolled Bills, submitted the following report:

MR. SPEAKER—

Your committee on Enrolled Bills have compared the following bills with the original copies and find them correctly enrolled:

H. B. 119—An act in relation to proceedings against garnishees.

H. B. 51—An act to apportion the members of the Council and the members of the House of Representatives of the Territory of Washington.

H. B. 105—An act to fix the time for holding the county commissioners conrts in certain counties.

H. J. R. 25—Relative to the safe keeping of Territorial property.

H. J. M. 21—Praying Congress to donate eighty-five sections of land to aid in the construction of a road from Olympia to Monticello.

T. P. PAGE,
Chairman.

The Speaker gave notice that he was about to sign the following:

H. B. 119—An act in relation to proceedings against garnishees.

H. B. 51—An act to apportion the members of the Council and the members of the House of Representatives of Washington Territory.

H. B. 105—An act to fix the times for holding the county commissioners courts in certain counties,

H. J. R. 25—Relative to removal of the Territorial property from the block-house at Olympia to a place for safe keeping.

H. J. M. 21—Praying Congress to donate eighty-five sections of land to aid in the construction of a road from Olympia to Monticello.

The following message was received from the Council by their clerk:

COUNCIL CHAMBER,
January 31, 1867.

MR. SPEAKER—

I am instructed by the Council to inform the House that the committee of conference recommend that the House recede from their amendments to

C. B. 45—An act relating to the sheriff of Clarke county.

C. J. M. 3—Asking that certain citizens be confirmed in their titles to their claims.

Also that the Council concur in House amendments to

Substitute for C. B. 35 and 36—An act to amend an act entitled "an act to regulate the practice and proceedings in civil actions in the district courts."

Also of the passage of

H. B. 95—An act exempting Clarke county from liability arising from delinquent taxes assessed in Skamania county in the years 1865 and 1866.

Also that the Council indefinitely postponed

H. B. 6—An act in relation to fence and fence viewers.

N. S. PORTER,
Chief Clerk.

The House refused to recede from its amendments to

C. B. 45—An act relating to the sheriff of Clarke county.

The House receded from its amendments to

C. J. M. 3—Asking certain persons in Pierce and Lewis counties to be confirmed in their titles to their claims.

Mr. McGilvra, from committee of conference, submitted the following report:

MR. SPEAKER—

Your committee of conference beg leave to report that they have met the committee of conference appointed by the Council, and said joint committee have had under consideration the following bills, and make the following recommendations:

C. J. M. 3—Asking certain citizens of Pierce and Lewis counties to be confirmed in the titles to their claims.

Recommend that the House recede from their amendments.

Substitute for C. B. 35 and 36—An act to amend an act entitled an act to amend an act to regulate the practice and proceedings in civil actions in the district courts, passed January 28, 1863.

Recommend that the Council concur in the House amendments.

C. B. 45—An act in relation to the sheriff of Clarke county.

Recommend that the House recede from its amendments.

C. B. 22—An act to provide for the assessing and collecting of Territorial and county revenue.

Recommend that the Council concur in the House amendments, and that the following proviso be added to Sec. 32:

Provided, That no property except the wearing apparel upon the person shall be exempt on the collection of poll tax,

and that no person shall be entitled to vote until he shall pay his assessed poll tax: *And provided further*, That said poll tax may be paid to the judges of election at the time of voting, who shall return and hand over the same to the county treasurer, together with the names of the persons paying such poll tax."

JOHN J. McGILVRA,
Chairman.

Mr. Page, from committee on Enrolled Bills, submitted the following report:

MR. SPEAKER—

Your committee on Enrolled Bills have compared the following, and find them correctly enrolled:

H. B. 30—An act to provide for the election of county commissioners and defining their duties.

H. J. R. 27—Relative to payment of E. Giddings for Territorial map.

H. B. 74—An act to authorize T. J. Demers to establish a ferry.

THOS. P. PAGE,
Chairman.

The Speaker announced that he was about to sign the following:

H. B. 30—An act to provide for the election of county commissioners and defining their duties.

H. J. R. 27—Relative to the payment of Edward Giddings for Territorial map.

H. B. 74—An act to authorize T. J. Demers and others to establish a ferry on Pen-d'-oreille river.

Mr. McGilvra, chairman of conference committee, submitted the following report:

MR. SPEAKER—

Your committee on conference have had under consideration

C. B. 59—An act to provide for the pay of an assistant enrolling clerk and chief clerk of the House,

And have recommended that the Council concur in the House amendments to the bill.

The committee have also considered

C. B. 49—An act in relation to Territorial warrants, with House amendments, and have recommended that the Council concur in House amendments.

The committee have also had under consideration

H. B. 53—An act amendatory of an act entitled "an act for the preservation of game,"

And recommend that the Council recede from their amendments to the bill.

J. J. McGILVRA,
Chairman.

The following message was received from the Council by their Clerk:

COUNCIL CHAMBER,
January 31, 1867.

MR. SPEAKER—

I am instructed by the Council to inform the House that the President of the Council has signed the following:

H. J. M. 21—Praying for an appropriation of 85 sections of land to aid in the construction of a road from Olympia to Monticello.

H. B. 105—An act to fix the time of holding commissioners court in certain counties.

H. J. R. 25—Relative to the safe keeping of Territorial property.

H. B. 51—An act to apportion the representation in the Legislative Assembly.

H. B. 119—An act in relation to proceedings against garnishees.

N. S. PORTER,
Chief Clerk.

Mr. Eldridge introduced the following resolution:

Resolved, That the thanks of this House be and hereby is tendered to the Hon. Henry Miles, for the able and courteous manner in which he has discharged the duties of Speaker.

On motion of Mr. Simmons,

The resolution was adopted.

Mr. Page, chairman of committee on Enrolled Bills, submitted the following report:

MR. SPEAKER—

Your committee on Enrolled Bills have compared the following with the original copy, and find it correctly enrolled:

H. B. 80—An act defining the county lines of Washington Territory.

T. P. PAGE,
Chairman.

Mr. Robinson, of Jefferson, introduced the following resolution:

Resolved, That the thanks of this House be and they are hereby tendered to Chas. Eagan, Chief Clerk, and Benj. F. Browning, Assistant Clerk, for the able and impartial manner in which they have discharged their duties as clerks of the House of Representatives of this Territory, and for their courteous and accommodating conduct towards the members of this Legislature.

On motion of Mr. Van Bokkelen,

The resolution was unanimously adopted.

On motion of Mr Rees,

The House took a recess of one hour.

AFTERNOON SESSION.

House re-assembled.

The following message was received from his Excellency Gov. Cole:

EXECUTIVE OFFICE,
Olympia, W. T., January 31, 1867.

HON. HENRY MILES,
Speaker of the House of Representatives:

SIR—I have the honor to inform your honorable body that I have examined, approved, and will cause to be duly filed with the Secretary of the Territory, the following Legislative acts:

H. B. 66—An act for the relief of R. H. Hewitt and John M. Murphy,

H. B. 101—An act for the relief of E. G. Parker, deputy sheriff of Walla-walla county.

H. B. 98—An act to authorize Morris Frost to build a wharf at Muckelteo, Snohomish county.

H. B. 104—An act to authorize W. B. Fish and others to fix the channel of a certain stream.

H. B. 114—An act for the relief of U. E. Bozarth.

H. B. 12—An act to amend an act to regulate fees and costs.

H. B. 79—An act for the relief of Stevens county.

H. B. 116—An act in relation to the terms of the district courts in the first judicial district.

H. B. 70—An act to amend an act entitled "an act defining the jurisdiction and practice in the probate courts of Washington Territory," passed January 16, 1863.

H. B. 103—An act to amend an act entitled an act relating to crimes and punishments and proceedings in criminal cases.

H. B. 41—An act establishing a common school system for the Territory of Washington.

H. B. 113—An act to protect sheep and wool growers in certain counties.

H. B. 32—An act relating to the care and keeping of insane and idiotic persons.

Substitute for H. B. 15—An act to protect sheep and wool growers.

H. B. 54—An act in relation to the Territorial library.

Council substitute for H. B. 34—An act to amend an act entitled "an act relating to elections and the mode of supplying vacancies."

H. B. 47—An act in relation to insolvent debtors.

H. B. 55—An act to incorporate the Coal Creek Road Company.

H. B. 106—An act to incorporate the Stuck Milling and Log Driving Company.

C. B. 50—An act in relation to future control of Territo-

rial convicts, and to employ them upon penitentiary grounds and buildings.

I have the honor to be,
Very respectfully,
Your obedient servant,
GEORGE E. COLE,
Governor of Washington Territory.

The following message was received from his Excellency Governor Cole:

EXECUTIVE OFFICE,
Olympia, W. T., January 31, 1867.

HON. HENRY MILES,
Speaker of the House of Representatives:

SIR—I have the honor to inform your honorable body that I have examined, approved, and caused to be filed in the office of the Secretary of the Territory, the following Legislative acts, to-wit:

Substitute for H. B. 78—An act for the relief of Jefferson county.

Council substitute for H. B. 92—An act to appoint officers and locate the county seat of Yakima county.

H. B. 94—An act in relation to a Territorial road from Boisefort plain to Monticello, in Cowlitz county.

Substitute for H. B. 3—An act in relation to public roads in Stevens county.

H. B. 11—An act to secure to orphans and other children in the Territory of Washington a common school education.

H. B. 19—An act in relation to the construction of roads and highways in Washington Territory, and defining the duties of road supervisors.

I have the honor to be,
Very respectfully,
Your obedient servant,
GEORGE E. COLE,
Governor of Washington Territory.

Mr. Page, from committee on Enrolled Bills, submitted the following report:

MR. SPEAKER—

Your committee on Enrolled Bills have compared the following, and find them correctly enrolled:

C. B. 51—An act in relation to future control of Territorial convicts.

C. B. 58—An act to incorporate the Olympia Good Templar's Hall Company.

C. B. 29—An act authorizing the school directors of school district number six in Clarke county, W. T., to levy a special tax for school purposes.

C. B. 46—An act in relation to judges of probate and the practice in the probate courts of Washington Territory.

C. B. 48—An act for the relief of the sheriff of Pierce county.

C. B. 54—An act in relation to road tax in Kitsap county.

C. B. 38—An act in relation to taking depositions in the Territory.

C. B. 44—An act in relation to the Territorial University.

C. B. 52—An act for the relief of Pierce county.

H. B. 110—An act to amend an act to review and locate a Territorial road from Claquato to Fort Willopa.

THOS. P. PAGE,
Chairman.

The following message was received from the Council by their clerk:

COUNCIL CHAMBER,
January 31, 1867.

MR. SPEAKER—

I am instructed by the Council to inform the House that the Council recede from their amendments to

H. B. 53—An act to amend an act entitled "an act for the preservation of game."

Also that the Council have concurred in House amendments to

C. B. 49—An act in relation to Territorial warrants.

C. B. 59—An act to provide for the pay of an asssistant enrolling clerk, and added other amendments thereto.

Also that the President of the Council has signed the following:

H. B. 30—An act to provide for the election of county commissioners and defining their duties.

H. B. 74—An act to authorize T. J. Demers and others to establish a ferry on Pen-d'-oreille river.

H. J. R. 27—Relative to the payment of Edward Giddings for Territorial map.

And the same are herewith transmitted.

Also that the following have been reported correctly enrolled:

C. B. 52—An act for the relief of Pierce county.

C. B. 38—An act in relation to taking depositions in the Territory.

C. B. 44—An act in relation to the Territorial University.

C. B. 54—An act to repeal an act entitled "an act to appropriate money for the construction of certain roads."

C. B. 48—An act for the relief of the sheriff of Pierce county.

C. B. 29—An act authorizing the school directors of school district number six in Clarke county, W. T., to levy a special tax for school purposes.

C. B. 51—An act in relation to future control of Territorial convicts.

C. B. 46—An act in relation to probate judges and the practice in the probate courts.

C. B. 58—An act to incorporate the Olympia Good Templar's Hall Association of the town of Olympia.

And the same are herewith transmitted for the signature of the Speaker.

Also of the passage of

C. J. R. 3—Relative to adjourning *sine die.*

N. S. PORTER,
Chief Clerk.

The following message was received from the Council by their Clerk:

COUNCIL CHAMBER,
January 31, 1867.

MR. SPEAKER—

I am instructed by the Council to inform the House that the Council did not pass

H. J. R. 19—Relative to the powers of Congress and the rights of States.

Also that the following have been reported correctly enrolled:

C. J. M. 3—Asking certain persons in Pierce and Lewis counties to be confirmed in their titles to their claims.

C. B. 49—An act in relation to Territorial warrants.

C. B. 22—An act to provide for the assessing and collecting of Territorial and county revenue.

Substitute for C. B. 35 and 36—An act to amend an act entitled an act to amend an act to regulate the practice and proceedings in civil actions in the district courts, passed January 28, 1863.

N. S. PORTER,
Chief Clerk.

C. J. R. 3—Relative to adjourning *sine die.*

Resolution read first time.

On motion of Mr. Van Bokkelen,

Rules were suspended and the resolution read second time.

On motion of Mr. Jessee,

The rules were further suspended and resolution read third time and passed.

On motion of Mr. Brazee,

House concurred in Council amendments to

C. B. 59—An act to provide for the payment of an assistant enrolling clerk, chief clerk of the House and the chief clerk of the Council.

Mr. Brazee moved that the House proceed to take up

H. B. 40—An act to appoint a code commission, appoint a commissioner and provide for his pay, which had been indefinitely postponed by the House.

The chair decided that the bill was not in the possession of the House and therefore out of order.

Mr. Van Bokkelen appealed from the decision of the chair.

The question was—"Shall the chair be sustained?"

On this question the ayes and noes were called, with the following result:

Those who voted in the affirmative are—

Messrs. Brazee, Clymer, Eldridge, Hancock, Henry, Heckert, Huntington, Jessee, Longmire, McGilvra, O'Bryant, Page, Rees, Ruth, Robinson, Temple, Young and Mr. Speaker—18.

Those who voted in the negative are—

Messrs. Clarke, Harmon and Van Bokkelen—3.

The chair was sustained.

The Speaker gave notice that he was about to sign the following:

C. B. 22—An act to provide for the assessing and collecting of Territorial and county revenue.

H. B. 103—An act to amend an act entitled "an act relating to crimes and punishments and proceedings in criminal cases," passed January 28, 1863.

C. J. M. 3—Asking certain citizens of Pierce and Lewis counties to be confirmed in the titles to their claims.

C. B. 49—An act in relation to Territorial warrants.

H. B. 53—An act amendatory of an act entitled "an act for the preservation of game."

An act in relation to future control of Territorial convicts.

An act to incorporate the Olympia Good Templar's Hall Company of the town of Clympia.

An act authorizing the directors of school district number 6, in Clarke county, to levy a special tax for school purposes.

An act relating to the duties of probate judges and the practice in probate courts.

An act for the relief of Pierce county.

An act in relation to road tax in Kitsap county.

An act in relation to taking depositions in this Territory.

An act in relation to the Territorial University.

An act defining the county lines of Washington Territory.

Mr. Page, chairman of committee on Enrolled Bills, submitted the following report:

MR. SPEAKER—

Your committee on Enrolled Bills have compared the fol-

lowing with the original copy, and find it correctly enrolled:

C. B. 22—An act to provide for the assessing and collecting of Territorial and county revenue.

T. P. PAGE,
Chairman.

The following message was received from his Excellency Gov. Cole:

EXECUTIVE OFFICE,
Olympia, W. T., January 31, 1867.

HON. HENRY MILES,
Speaker of the House of Representatives:

SIR—I have the honor to inform your honorable body that I have examined, approved, and caused to be duly filed with the Secretary of the Territory, the following Legislative acts:

H. B. 30—An act to provide for the election of county commissioners and defining their duties.

H. B. 119—An act in relation to proceedings against garnishees.

H. B. 51—An act to apportion the members of the Council and the members of the House of Representatives of the Territory of Washington.

H. B. 105—An act to fix the time for holding the county commissioners conrts in certain counties.

H. B. 74—An act to authorize T. J. Demers to establish a ferry.

H. B. 110.—An act to amend an act to locate a Territorial road from Claquato to Willopa.

I have the honor to be,
Very respectfully,
Your obedient servant,
GEORGE E. COLE,
Governor of Washington Territory.

The following message was received from the Council by their clerk:

COUNCIL CHAMBER,
January 31, 1867.

MR. SPEAKER—

I am instructed by the Council to inform the House that the following have been reported correctly enrolled:

C. B. 59—An act to provide for the pay of an assistant enrolling clerk and the chief clerks of the House and Council.

C. J. R. 3—Relative to adjournment.

And the same are herewith transmitted for the signature of the Speaker.

N. S. PORTER,
Chief Clerk.

The Speaker announced that he was about to sign the following:

C. B. 59—An act to provide for the pay of an assistant enrolling clerk, chief clerk of the House and chief clerk of the Council.

C. J. R. 3—Relative to adjourning *sine die.*

An act for the relief of Clarke county.

The following message was received from his Excellency the Governor:

EXECUTIVE OFFICE,
Olympia, January 31, 1867.

HON. HENRY MILES,
Speaker of the House of Representatives:

SIR—I have the honor to inform your honorable body that I have examined, approved, and will cause to be duly filed with the Secretary of the Territory, the following Legislative acts:

An act amending an act for the preservation of game.

An act defining the county lines of Washington Territory.

I have the honor to be,
Very respectfully,
Your obedient servant,
GEO. E. COLE,
Governor of Washington Territory.

The following message was received from his Excellency Governor Cole:

EXECUTIVE OFFICE,
Olympia, January 31, 1867.

HON. HENRY MILES,

Speaker of the House of Representatives:

SIR—I have the honor to inform your honorable body that I have examined, approved, and will cause to be duly filed in the office of the Secretary of the Territory, the following Legislative act:

H. B. 95—An act exempting Clarke county from liability arising from delinquent taxes assessed in Skamania county in the years 1865 and 1866.

I have the honor to be,
Very respectfully,
Your obedient servant,
GEORGE E. COLE,
Governor of Washington Territory.

On motion of Mr. Van Bokkelen,

The House adjourned *sine die.*

CHAS. EAGAN,
Chief Clerk.

ANNUAL REPORT

OF THE

TERRITORIAL LIBRARIAN.

OFFICE OF THE TERRITORIAL LIBRARIAN,
Olympia, December 13, 1866.

To the Honorable Legislative Assembly
of the Territory of Washington:

GENTLEMEN—In accordance with the law defining the duties of Territorial Librarian, I respectfully beg leave to present my report.

I entered upon the duties of this office on the first day of September, 1866, by appointment of His Excellency Governor Pickering, since which time there has been loaned from the Library 46 volumes, of which number 36 have been returned, and the remaining 10 will be returned during the session.

I have received from States and Territories 58 volumes, to-wit:

	NO. VOLS.
CALIFORNIA—	
Senate Journal, 16th Session,	1
Assembly Journal, 16th session,	1
Appendix to Journal of the Senate, 16th session, 1st, 2d and 3d volumes,	3
Appendix to Assembly Journal, 16th session,	2

	NO. VOLS.
KENTUCKY—	
Auditor's report, 1865,	1
Supplement to revised Statutes,	1
Senate Journal, 1865-6,	1
House Journal, 1865-6,	1
Legislative documents,	2
MINNESOTA—	
House Journal, 1865,	1
Senate Journal, 1865,	1
Reports, 1865,	1
Executive Documents, 1865,	1
General Laws, 1866,	1
NEW JERSEY—	
Minutes of Assembly, 1866,	1
Legislative Documents, 1866,	1
Senate Journal, 1866,	1
NEW HAMPSHIRE—	
Laws, June Session 1865,	2
NEBRASKA—	
Revised Statutes, 1865,	1
NEVADA—	
Adjutant General's Report, 1866,	3
IOWA—	
Laws of 1866,	3
2d Volume, Digest of Supreme Court Decisions,	1
ILLINOIS—	
Constitutional Journal, 1862,	1
House Journal, 1863,	1
Senate Journal, 1863,	1
General Assembly Reports, Vols. 1, 2, 3, 4,	4
House Journal, 1865,	1
Senate Journal, 1865,	1
Reports, Vols. 31, 32, 33,	3
Digest, Vol. 3,	1

	NO. VOLS.
PENNSYLVANIA—	
Senate Journal, 1866,	1
House Journal, 1866,	1
Laws, 1866,	1
Legislative Documents, 1866, Vols. 1, 2,	2
Executive Documents, 1865, Vols. 1, 2,	2
School Reports, 1865,	1
Rail Road Reports, 1865,	1
Adjutant General's Report, 1865,	1
Military Report, 1865,	1
Soldier's National Cemetery, Gettysburg,	1
VERMONT—	
Report of Board of Education,	1

H. L. CHAPMAN,
Librarian.